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Administrative Office of the Courts

Eighth Annual Report

(July 1, 1980 to June 30, 1981)

March 1982

The Judicial Council of Georgia/
Administrative Office of the Courts

Georgia Justice Center
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Foreword

We are pleased to present to you the *Eighth Annual Report of the Administrative Office of the Courts* as required by Ga. Laws 1973, page 288, and by Order of the Supreme Court. The year for which this report is written was one of continued adjustments to funding cutbacks, and several significant accomplishments were realized.

Upon petition of the Judicial Council, the Supreme Court added a twenty-fourth member to the Judicial Council to represent the magistrates, mayors, recorders, police, small claims, municipal, civil, county, traffic and county recorders courts. Also, the Judicial Council itself now serves as the Judicial Planning Committee and continued work on the preparation of the *1982 Courts Plan*.

The Administrative Office of the Courts continued to discharge its legislatively mandated responsibilities, providing fiscal, technical and communication services to the judicial branch. Fiscal services were provided to eight judicial agencies, and technical assistance was provided in the areas of records keeping, caseflow, automated information systems and facility standards. The AOC also began publishing this year the *Alert Bulletin of Case Citations (ABC's)* to provide current information on appellate decisions to trial judges, and now also publishes a monthly synopsis of Attorney General's opinions. The Judicial Council sought to increase public awareness of the judicial system by cooperating in the creation of a six-part television series on the operation of Georgia courts.

This year the Administrative Office of the Courts worked with the Supreme Court in developing for the first time records retention schedules for several classes of court records. This was done in an effort to alleviate storage and space problems in courthouses across the state.

After analyzing caseload data and other information from the various courts of the state, the Judicial Council recommended to the General Assembly that additional superior court judgeships be created in nine judicial circuits. Those circuits were Blue Ridge, Conasauga, Douglas, Macon, Mountain, Pataula, Southwestern, Toombs and Waycross. Judgeships were created in all of these circuits except Blue Ridge.

In addition to reporting on the work of the Judicial Council and the Administrative Office of the Courts, this report presents summaries of the judicial work of the principal courts of record and reports on the work of several other judicial agencies, including the Institute of Continuing Judicial Education. The Judicial Council of Georgia/Administrative Office of the Courts welcomes questions and comments on its activities and on the work of the courts across the state as we endeavor to fulfill our responsibility to the citizens of Georgia by developing and implementing programs and projects to improve the administration of justice.

Robert L. Doss, Jr.
Director
Administrative Office of the Courts

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JUDICIAL COUNCIL OF GEORGIA

The Council focused its attention on essential activities and projects that could be continued or initiated within the restricted funding environment.

Challenged by its legislative directive to recommend improvements for the state's courts, the Judicial Council has continued to restructure its goals and its organization to adapt to a changing judicial scene. Having completed its eighth year of operation, the Judicial Council continues in its efforts to insure that the concept of judicial administration is viable and is supported by the judicial constituents it serves.

HISTORICAL DEVELOPMENT

A Judicial Council for the state of Georgia was first created in 1945 to perform varied and complex duties. This initial council was composed of five judges (representing the Supreme Court, the Court of Appeals and the trial courts), representatives from the legislative judiciary committees, five attorneys and three laymen. The fifteen members were charged with making a continuous study of the organization of the courts and formulating methods for simplifying judicial procedure as well as studying the conduct of the bar and correcting faults in the administration of justice. Although this council was allotted money for reimbursement of expenses associated with its meetings, the members met only a few times and left no surviving record of their recommendations.

It was not until 1973 that the General Assembly approved a constitutional amendment (ratified by the public in 1974) providing for all courts to be part of one unified judicial system for the purposes of administration. The same year a legislative act repealed the 1945 act and created the Judicial Council of Georgia as the apparatus through which the mechanics of the administrative efforts would be developed. The membership was set at eleven and included nine judges of courts of record in the state and the president and past president of the State Bar of Georgia. There was no member representing the legislative branch, nor any lay member assigned to the new council. The nine judges were appointed by the Governor to staggered terms and took office on May 1, 1973. The act provided for the council to elect succeeding members and again specified that the members would receive no compensation, but would be reimbursed for actual expenses incurred while attending meetings.

The same act created the Administrative Office of the Courts to serve as the staff of the Judicial Council and enumerated broadly defined duties to be performed. The legislature appropriated $75,000 for the first year's operation of the Council and its staff. In addition, almost $383,000 in federal grant money was provided to the Council for administrative services to the judicial system, improved manual records keeping, the development of pattern jury instructions and a statewide facilities study, research and other purposes.

The Judicial Council became more closely aligned with the Supreme Court in June, 1978, when the Court issued an order approving the Council's petition to establish itself as an administrative arm of the Court. The order left intact the enumerated duties and membership detailed in the 1973 act; however, it added a provision which permitted a change in the composition, powers and duties of the Council by subsequent order.

The Supreme Court issued such an order in February, 1980. Upon petition of the Judicial Council, the membership was increased to twenty-three persons representing seven different classes of courts and including two members of the State Bar of Georgia and a clerk of the superior court. The order provided for twenty members to have voting privileges, excluding the representatives of the Supreme Court, the justices of the peace and the clerks of superior court. The order also specified the manner in which all members would be selected, that is they would all be elected or appointed by groups, agencies and associations outside of the Council. This provision eliminated the practice of the members electing their own successors. The order additionally determined the length of the member's terms and specified other guidelines concerning membership.

Near the end of fiscal year 1981, the Supreme Court appointed a twenty-fourth, non-voting member to the Judicial Council to serve a term beginning July 1, 1981. The latest position was added to the Council to represent courts of limited jurisdiction and was provided when the Supreme Court granted the Council's petition to expand its membership in an order issued in February, 1981. The courts represented by the new member include magistrates, mayors, recorders, police, small claims, municipal, civil, county and traffic courts, which cumulatively account for more than 500 courts throughout the state. (See Appendix One for Supreme Court Orders and Act creating the Judicial Council.)

FISCAL YEAR 1981 ACTIVITIES

The Judicial Council met five times during the year to pursue its stated goals. As a result of a limited appropriation for its staff from the previous session of the General Assembly and a decrease in available federal funds, the Council was forced to focus its attention on essential activities and projects that could be continued or initiated within the restricted funding environment. As a corollary, the Council conducted an extensive review of its own operations, emphasizing efficient and accountable policies and measures.

Goals for Fiscal Year 1981

State funds appropriated by the Georgia legislature in 1980 for operations of the Judicial Council/Administrative Office of the Courts in fiscal year 1981 amounted to a 12 percent increase ($39,339) over total state funds appropriated for fiscal year 1980 ($323,395). Two-thirds of the increase was a separate appropriation for employee cost-of-living raises. While the General Assembly later approved a 1981 supplemental appropriation totalling $122,000 for the Judicial Council/AOC, the Council was constrained by the limited state funds available at the beginning of FY 1981 and decreasing federal funds in identifying and prioritizing its goals for the year.

Goal #1. Obtain state funding for essential and appropriate operations of the Administrative Office of the Courts, taking into account the economic posture of state finances and the justification for all programs to be funded. The Judicial Council's first goal was the only legislative goal for the year other than the addition of superior court judgeships. This goal was achieved with the award of a $122,000 supplemental appropriation for FY 1981 and full state funding for the Judicial Council/AOC in the amount of $535,743 for fiscal year 1982.

Goal #2. Cooperate with the Supreme Court in establishing a unified budgetary process for all judicial agencies. Attempts to establish a coordinated budgetary process for judicial branch agencies began in 1980 and included the compilation of the budgets of sixteen judicial agencies by the Administrative Office of the Courts. The majority of these budgets had previously been individually submitted by the respective agencies. The goal was accomplished as the Judicial Council and its staff helped to develop and assisted the Chief Justice in presenting the FY 1982 budget to the Georgia legislature.

Goal #3. Re-adopt Goal Number Five of the 1979-1980 goals (to define the role of the AOC in relation to other Council agencies) and enlarge it by spelling out the relationship which the Judicial Council has with all affiliated court agencies to include the Institute of Continuing Judicial Education, the Board of Court Reporting, the Council of Juvenile Court Judges, the Judicial Qualifications Commission, and such other agencies as have been rendered central office and other services by the Judicial Council in the past. In addition, the Judicial Council is to assume the duties of the Judicial Planning Committee. The Judicial Council's third goal, readopted and ex-

panded from the previous year, indicated the Council's desire to evaluate the administrative roles of the parts of the judicial system in order to establish clearly defined roles of the Council and the AOC and form an efficient assembly of judicial agencies. In analyzing the relationships between the Council, the AOC and the affiliated agencies, the Council considered not only the extent of administrative support services available, but the fiscal, budgetary and liaison responsibilities implied by the constitutional authorization that the administration of the unified judicial system shall be performed by the system itself. While the Judicial Council applied itself to this goal for the second year, an effective comprehensive plan was not achieved.

Goal #4. Work with the State Bar and other agencies to provide judges over the state with current appellate court rulings, opinions of the Attorney General and pertinent administrative rulings. The Judicial Council's desire to expand communication services to the state's judges helped to determine the fourth goal for the year. It was accomplished through the publication and distribution of a digest of casenotes, the *Alert Bulletin of Current Citations (ABC's)*, and the printing of a summary of official and unofficial Attorney General's opinions relating to the courts in the *Georgia Courts Journal*, a newsletter mailed to judges and court support personnel. The *Alert Bulletin* is edited by two superior court judges and published and distributed by the AOC. The Attorney General's opinions are summarized in the newsletter and distributed upon request to court officials.

Goal #5. In the reconstituted capacity as the Judicial Planning Committee, continue long-range planning for the judicial system. Beginning in fiscal year 1981 the Judicial Council assumed the function of long-range planning for the state's courts by appointing its members and four other court representatives to serve in lieu of the former Judicial Planning Committee (JPC). The JPC was originally created by the Council in 1977 under the authority of the U.S. Crime Control Act of 1976 to establish priorities for court improvements and to prepare comprehensive plans relating to all aspects of the judicial system.

During the year, the Judicial Council, through its Planning and Goals Committee, solicited input from the various components of the judicial system for plans which could realistically be achieved without the aid of federal funds. While the *1982 Courts Plan* was prepared in draft form, final recommendations were postponed until after the end of the fiscal year.

Goal #6. As resources permit, broaden the participation and services of the Judicial Council to all elements of the judicial system. The Judicial Services Committee of the Judicial Council reviewed ways in which improvements could be made in justice courts and in small claims courts and ways in which the Council could expand services to these types of courts. One way in which services were extended was the provision of space in the Council's newsletter for items of interest to courts of limited jurisdiction. In addition, the Council reviewed a comprehensive report submitted by the Georgia Association of Justices of the Peace and Constables concerning improvements in its members' courts and made recommendations on salaries, dockets, and the justice court system as a whole.

Most significantly, the Judicial Council petitioned the Supreme Court in December, 1980, to add a new member to the Council to represent magistrates, mayors, recorders, police, small claims, municipal, civil, county and traffic courts. The Supreme Court granted the petition in an order dated February 6, 1981, and appointed a city court judge to serve a term beginning July 1, 1981.

Goal #7. Work towards bringing the judicial administrative districts under the administrative umbrella of the Supreme Court by urging the Supreme Court to reconstitute the Judicial Council so that ultimately the ten district administrative judges would be the same ten superior court judges who serve as members of the Judicial Council. Establish an interim coordinating committee to resolve and reconcile differences of opinion that may arise concerning the working relations between the groups during the interim period. The interim committee is to be comprised of the chairman of the Judicial Council, the chairman of the district administrative judges, the president of the Council of Superior Court Judges and a member of the Judicial Council, other than a superior court judge, elected by the Judicial Council. A joint committee composed of representatives of the Judicial Council and the judicial administrative districts was appointed to review the relationship between the two agencies and make recommendations to bring the districts into the sphere of activities of the Supreme Court and the Judicial Council. Although the Council adopted a general recommendation proposed by the committee that the judicial administrative judges serve as the superior court judge members on the Judicial Council, the goal

had not been accomplished by the end of the year.

Recommendations for Additional Superior Court Judgeships

Eight new judgeships were created by the 1981 legislature upon the recommendation of the Judicial Council to fill the need for additional judicial manpower in the state. Seven judgeships were provided to existing circuits—Conasauga, Macon, Mountain, Pataula, Southwestern, Toombs and Waycross—and one judgeship was allocated to the Douglas Judicial Circuit. The new judgeships for the Conasauga and Douglas judicial circuits will be established in 1983. Twelve circuits had specifically requested that the Council conduct a study of their caseloads in regard to the need for an additional judge.

A recommendation had also been made to create an additional judgeship for the Blue Ridge Judicial Circuit. However, no legislation was introduced to establish a judgeship pursuant to this recommendation.

The 1981 recommendations were based in part on an analysis of fiscal year 1980 superior court caseload, which included two weighted systems of caseload analysis, along with circuit population and measures of potential judicial assistance from supporting courts. The recommendations were also based on the Council's policy concerning judicial manpower. One of the objectives of this policy has been to establish multi-judge circuits whenever possible to promote efficiencies associated with multi-judge courts, including increased case specialization, greater flexibility in case assignment and better management of court personnel.

Five of the circuits receiving additional judgeships were previously single-judge circuits (Douglas, Mountain, Pataula, Southwestern, Toombs). The Conasauga and Waycross judicial circuits were each allocated a third judgeship, and the Macon Judicial Circuit received a fourth judicial position.

Additional Activities

As a reflection of the changes brought about by the restructuring of the Judicial Council, a committee system was specifically designed to allow the members to more efficiently work toward the Council's goals. While the full Council held fewer meetings than the previous year, the various committees met frequently to review matters in regard to their goals. As noted earlier, the Planning and Goals Committee performed the function of the former Judicial Planning Committee. Another example was the Management Review Committee, which requested the Governor's Office of Planning and Budget to analyze the operations of the Administrative Office of the Courts and to suggest where cut-backs could be made most efficiently in dealing with the reduction in funds.

The Judicial Council requested and obtained $7,200 from the Governor's Emergency Fund for two projects. The Council received $6,000 to establish a law clerk position for the Flint Judicial Circuit to assist one of the superior court judges in processing petitions for habeas corpus. The Council was awarded $1,200 to fund travel expenses for judges serving on the Council of Superior Court Judges Liaison Committee for performing liaison duties with the Department of Offender Rehabilitation.

The Judicial Council was also involved in other areas to assist the state's judges. The Council authorized its staff to apply for federal funds made available by the National Highway Safety Act through the Governor's Office of Highway Safety to conduct a training seminar for traffic judges under the direction of the Institute of Continuing Judicial Education. In addition, information concerning trial delay was disseminated to all superior court judges to allow them to voluntarily conduct self-studies of trial delay in their respective circuits. In the area of public education, the Council cosponsored with an educational television network a series of six half-hour programs on the Georgia court system. The programs, broadcast statewide in December, 1980, and January, 1981, presented information on selected topics, including unification and uniformity of courts, civil and criminal procedure, sentencing and alternatives to sentencing, the cost of maintaining an effective court system and judicial alternatives for the future.

Judge Charles L. Weltner
Chairman
Superior Court
Atlanta Judicial Circuit
Atlanta

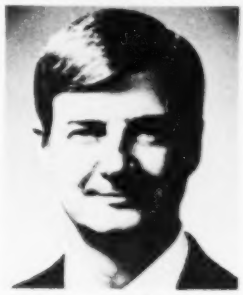
Judge Joseph J. Gaines
Vice Chairman
Superior Courts
Western Judicial Circuit
Athens

Judge Dorothy A. Robinson[1]
Secretary-Treasurer
State Court of Cobb County
Marietta

Judge James W. Head[1]
Secretary-Treasurer
State Court of Chatham County
Savannah

MEMBERS OF THE JUDICIAL COUNCIL OF GEORGIA
(July 1, 1980 to June 30, 1981)

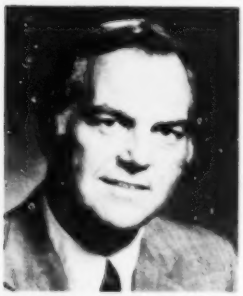
Judge Richard Bell[2]
Superior Courts
Stone Mountain Judicial Circuit
Decatur



Judge Berry E. Brock
Justice of the Peace
Fulton County
Fairburn

Judge Robert K. Broome[2]
Superior Courts
Stone Mountain Judicial Circuit
Decatur

Judge Robert E. Coker
Superior Courts
Lookout Mountain Judicial Circuit
LaFayette

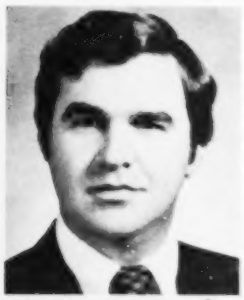


Judge Herbert M. Crane, Jr.
Juvenile Court of Bartow County
Cartersville

Judge Robert Culpepper, Jr.
Superior Courts
South Georgia Judicial Circuit
Camilla

Woodson Daniel
Clerk of Superior Court
Pulaski County
Hawkinsville

Judge W. Marion Guess, Jr.
Probate Court of DeKalb County
Decatur



Judge P. Harris Hines[3]
State Court of Cobb County
Marietta

Judge Ben A. Hodges
Superior Courts
Waycross Judicial Circuit
Waycross

Charles H. Hyatt
Next Immediate Past President
State Bar of Georgia
Decatur

Judge Harry Johnson, Jr.
Probate Court of Floyd County
Rome

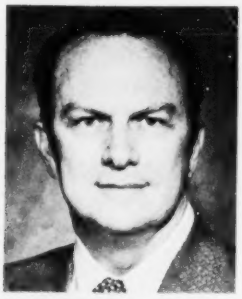
Justice Robert H. Jordan[4]
Supreme Court of Georgia
Atlanta

Judge R. Don Lewis
Probate Court of
McIntosh County
Darien

Justice Thomas O. Marshall[4]
Supreme Court of Georgia
Atlanta

Kirk M. McAlpin
Immediate Past President
State Bar of Georgia
Atlanta

Judge Walter C. McMillan, Jr.
Superior Courts
Middle Judicial Circuit
Sandersville



Judge Reid Merritt
Superior Court
Gwinnett Judicial Circuit
Lawrenceville

Judge C. Cloud Morgan
Superior Courts
Macon Judicial Circuit
Macon

Judge Grady C. Pittard, Jr.
State Court of Clarke County
Athens

Judge J. Kelley Quillian
Court of Appeals of Georgia
Atlanta

Judge Andrew J. Whalen, Jr.
Superior Courts
Griffin Judicial Circuit
Griffin

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[1]Judge Head was elected Secretary-Treasurer in December, 1980, to fill the unexpired term of Judge Robinson.
[2]Judge Bell replaced Judge Broome as the representative from the fourth judicial administrative district.
[3]Judge Hines replaced Judge Robinson.
[4]Justice Marshall replaced Justice Jordan.

ADMINISTRATIVE OFFICE OF THE COURTS

Changes were designed to permit the AOC to operate as effectively as possible while performing its most basic functions.

Under the direction of the Judicial Council, the Administrative Office of the Courts is charged with the general responsibility of assisting court officials and making recommendations for improving the courts of Georgia. The AOC's legislatively assigned duties include those listed on page 18. The following pages review the activities of the AOC during fiscal year 1981 in regard to these functions.

A Year of Change

Fiscal year 1981 marked a year of reorganization, reduced staffing and curtailment of services for the Administrative Office of the Courts. Effected primarily because of the substantial reduction in funds available to the AOC at the beginning of the year, these changes were designed to permit the AOC to operate as effectively as possible while performing its most basic functions.

The change in the amount of funds available to the AOC that occurred between fiscal years 1980 and 1981 resulted in a net decrease in the AOC budget of almost 23 percent. In absolute terms, this decrease amounted to $159,840. (See page 16.)

The reduction in available funds resulted primarily from the exhaustion of federal grant money awarded in previous years and the lack of new grants due to cutbacks on the federal level. The AOC had available approximately $43,000 in general grant funds at the start of fiscal year 1981, only a fraction of the almost $300,000 available at the beginning of the 1980 fiscal year.

A change in the composition of the two sources of funds was clearly evident. In FY 1980, total grant funds accounted for 54 percent of the AOC's budget. The same source comprised only 10 percent of the agency's budget in FY 1981.

Total state funds appropriated by the legislature increased by 50 percent from 1980 to 1981. The increase was largely the result of a supplemental appropriation of $122,000 provided by the General Assembly. Supplemental funds were 25 percent of the total state appropriation for the year and were not available until March of 1981.

In reaction to the funding situation at the beginning of the year, a 23 percent reduction in personnel took place. Eight staff positions were terminated and four other staff positions continued on a contractual basis with the AOC. Two staff members were placed on contract with funds from the Supreme Court to develop retention schedules for four types of court records. With the resultant staffing level of twelve and a half full-time positions, the AOC reorganized its previous three divisions into two divisions—administration/operations and research/court services. (See AOC Organizational Chart.)

Although the AOC was able to continue to provide many of the services previously performed, a reduction in some areas was required. As the level of research support was restricted, the scope of the annual caseload study was reduced and a less complex methodology was employed. The AOC decreased the technical assistance provided to local trial courts, continuing to assist individual courts in two areas—facilities and caseflow/traffic. Support for the Georgia Justice Courts Training Council's certification program was transferred to the Institute of Continuing Judicial Education. Records retention activities, performed by the AOC pursuant to an

order of the Supreme Court, were funded by the Supreme Court.

The AOC was able to provide services in two areas at existing or expanded levels. Fiscal support was continued for the Judicial Council/AOC and seven related agencies and expanded to include support for the Advisory Council for Probation. Communications services were extended in accordance with the Judicial Council's goal to broaden services to courts of limited jurisdiction.

With the legislative award of supplemental funds for the AOC, two contract positions were transferred to full-time status, bringing the staffing level to fourteen and a half employees. Following the FY 1982 appropriation of full state funding, plans were formed to employ two additional research personnel on July 1, 1981.

Management Review Study

As a part of the process of reducing AOC personnel and streamlining activities, the Judicial Council requested the Governor's Office of Planning and Budget (OPB) to review the organizational structure, functions and procedures of the Administrative Office of the Courts. In a report published in December, 1980, the Management Review Division of OPB formulated nine recommendations concerning administrative functions to assist the AOC in its reorganization efforts. After studying the recommendations, the Judicial Council implemented certain internal changes that could be carried out on its own authority.

Amended Responsibility

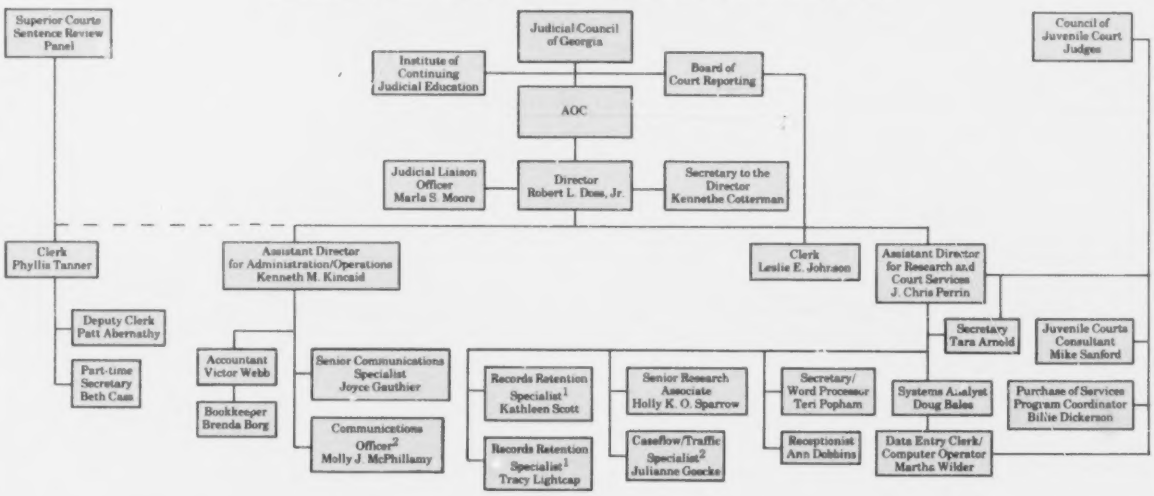
On January 15, 1981, the Supreme Court handed down a ruling in response to a petition filed by the Judicial Council to clarify the responsibility of the Administrative Office of the Courts to provide services to the courts. The Judicial Council had requested that the AOC be given the authority to handle grants and funds, charge for publications, provide assistance to individual courts with specific needs and make contracts. In its order, the Supreme Court amended the duties of the AOC to include the following:

1) Receive grants from any source, public or private, and expend funds and perform services in accordance with the terms of any grant;
2) Prepare, publish and distribute, from time to time, studies and reports relating to the administration of justice, impose reasonable charges for such reports where appropriate on either an individual or subscription basis and retain any proceeds of such charges;
3) Provide clerical, technical, research or other assistance to individual courts to enable them more effectively to discharge their duties; and,
4) Enter into contracts as necessary to perform its other duties.

ADMINISTRATION/OPERATIONS

To assist judges and court officers and employees with administrative matters, the Administrative Office of the Courts performs fiscal and communications services for the various components of the Georgia judicial system. The AOC provides these services in regard to its systemwide responsibilities and in response to expressed needs of individual courts and agencies.

ADMINISTRATIVE OFFICE OF THE COURTS AND RELATED JUDICIAL AGENCIES ORGANIZATIONAL CHART: JUNE 30, 1981


Superior Courts Sentence Review Panel
Judicial Council of Georgia
Council of Juvenile Court Judges
Institute of Continuing Judicial Education
Board of Court Reporting
AOC
Judicial Liaison Officer Marla S. Moore
Director Robert L. Doss, Jr.
Secretary to the Director Kennethe Cotterman
Clerk Phyllis Tanner
Assistant Director for Administration/Operations Kenneth M. Kincaid
Clerk Leslie E. Johnson
Assistant Director for Research and Court Services J. Chris Perrin
Deputy Clerk Patt Abernathy
Part-time Secretary Beth Cass
Accountant Victor Webb
Bookkeeper Brenda Borg
Senior Communications Specialist Joyce Gauthier
Communications Officer[2] Molly J. McPhillamy
Records Retention Specialist[1] Kathleen Scott
Records Retention Specialist[1] Tracy Lightcap
Senior Research Associate Holly K. O. Sparrow
Caseflow/Traffic Specialist[2] Julianne Goecke
Secretary/ Word Processor Teri Popham
Receptionist Ann Dobbins
Secretary Tara Arnold
Systems Analyst Doug Bales
Data Entry Clerk/ Computer Operator Martha Wilder
Juvenile Courts Consultant Mike Sanford
Purchase of Services Program Coordinator Billie Dickerson

[1]These positions were retained on a contractual basis until June 30, 1981.
[2]These positions were added following the appropriation of supplemental funds by the 1981 General Assembly.

Fiscal Services

In preparation for the coordinated judicial budget presentation made by the Chief Justice before the 1981 General Assembly, the AOC helped to prepare budgets for eight other judicial agencies and coordinated the budget requests of all sixteen judicial agencies. The eight agencies which the AOC assisted included the Advisory Council for Probation, the Board of Court Reporting, the Council of Juvenile Court Judges, the Georgia Justice Courts Training Council, the Institute of Continuing Judicial Education, the Judicial Administrative Districts, the Judicial Qualifications Commission and the Superior Courts' Sentence Review Panel. The combined fiscal year 1982 budget requests of all sixteen judicial branch agencies totaled $25,066,526.

During the year, the AOC administered funds for the Judicial Council/AOC and the eight judicial agencies from four different sources that included general and supplemental state appropriations, the Governor's Emergency Fund, federal grants and fees.

Nine federal grants from the Law Enforcement Assistance Administration (LEAA) and two grants from the National Highway and Traffic Safety Administration of the U.S. Department of Transportation were administered for three agencies—the Judicial Council/AOC, the Council of Juvenile Court Judges and the Institute of Continuing Judicial Education. Of these grants, three were awarded in fiscal year 1981, and eight were continuation grants from previous years. The projects funded by the grants included judicial education, traffic court improvements, long-range planning for the courts, computer services, purchase of a computer and purchase of services for juvenile offenders.

The AOC managed almost $40,000 in fees collected by the Board of Court Reporting and the Georgia Justice Courts Training Council. Fees charged court reporters for renewing their certification or taking the proficiency examination amounted to $19,857. Tuition fees paid by justices of the peace to attend training certification seminars totaled $19,346.

Total funds expended by the AOC and the other agencies for which funds are handled were $2,049,094. This was an increase of 25 percent over total expenditures in fiscal year 1980 ($1,639,852).

Late in the year, the AOC made plans to transfer some of the day-to-day fiscal operations, such as payroll, to the computer housed at the AOC. A computer terminal and a financial software package were purchased to provide for the development of a computerized accounting system, which should be operational in early 1982.

STATE APPROPRIATIONS FOR COURTS AND JUDICIAL AGENCIES

Fiscal Year 1981: July 1, 1980 to June 30, 1981
Total State Budget: $3,217,056,705
Judicial Budget: $ 20,554,407
0.64%
(less than 1%)

Court or Agency	FY 1981*	FY 1982	Change FY 81-82	% Change FY 81-82
Supreme Court	$ 1,957,531	$ 2,208,582	$ 251,051	12.8%
Court of Appeals	2,121,527	2,499,016	377,489	17.8%
Superior Courts (Total)	14,764,651	16,194,485	1,429,834	9.7%
Superior Courts/DA's	14,393,635	15,634,138	1,240,503	8.6%
Advisory Council for Probation	48,919	61,978	13,059	26.7%
Prosecuting Attorney's Council	371,016	424,371	53,355	14.4%
Sentence Review Panel	67,360	73,998	6,638	9.9%
Administrative Office of the Courts (Total)	1,025,100	1,202,960	177,860	17.4%
AOC Central Operations	484,734	535,743	51,009	10.5%
Judicial Administrative Districts	420,366	464,937	44,571	10.6%
Institute for Continuing Judicial Education	120,000	202,280	82,280	68.6%
Council of Juvenile Court Judges	87,500	97,592	10,092	11.5%
Appellate Court Reports	175,000	175,000	0	0
Judicial Qualifications Commission	56,000	49,760	-6,240	-11.1%
Board of Court Reporting	12,293	14,123	1,830	14.9%
Justice Courts Training Council	11,000	12,100	1,100	10.0%
Indigent Defense Council	343,805	0	-343,805	-100.0%
JUDICIAL BRANCH TOTAL	$20,554,407	$22,453,618	$ 1,899,211	9.2%

*Includes supplemental appropriation approved by the 1981 General Assembly.

Communications

In line with the Judicial Council's policy of expanded communications services to the state's judges and other court personnel, the Administrative Office of the Courts directed its efforts during the year toward providing current, multi-issue publications of general interest. While the AOC continued to produce specialized studies and update published manuals, a greater emphasis was placed on informing the judiciary of changes in statutory and case law and items affecting the Georgia court system.

The AOC took steps to expand communications services in several ways—by increasing the number of publications, issuing and updating current publications more frequently and extending distribution to judges of courts of limited jurisdiction.

Publication of the *Alert Bulletin of Current Citations* (ABCs) began in mid-year to keep trial judges abreast of opinions issued by the Georgia appellate courts and the United States Supreme Court. Edited by two superior court judges and published by the AOC, the casenotes provided information on points of interest in recently decided cases. Serving as editor and assistant editor, respectively, were Judge Frank M. Eldridge and Judge William W. Daniel. During the year, fifteen issues were distributed to judges of the appellate courts, superior courts, state courts, juvenile courts and probate courts.

The AOC prepared and distributed ten issues of the *Georgia Courts Journal* during the year to inform judges and court-related personnel of judicial and court administration activities, personnel and procedural changes, legislation and services provided by the Judicial Council/AOC. The *Journal* also summarized official and unofficial Opinions of the State Attorney General. The number of issues published was increased from the previous year, and the AOC planned to prepare the *Journal* on a monthly basis during fiscal year 1982.

For the fifth year, the AOC produced and distributed the *Judicial Legislative Log* to report on court-related measures being considered by the General Assembly during the legislative session. Published weekly, the *Log* provided summaries of more than 450 proposed pieces of court-related legislation and a report on their status. Twelve issues of the *Log* were produced and distributed to approximately 1,200 individuals and agencies. In addition, the AOC made available on request copies of specific bills to judicial and court personnel and to the public. Along with the *Courts Journal*, the distribution of the *Log* was increased to provide issues to more than 450 certified justices of the peace and small claims court judges.

The AOC worked to update directories and manuals for the courts on its own and in conjunction with other groups and judicial agencies. The *1980 Georgia Courts Directory*, which provides a listing of Georgia's court personnel, was prepared and distributed. The directory contains the names, addresses and telephone numbers of over 1,000 federal and state judges, district attorneys, solicitors, clerks, court administrators, official court reporters and judicial organizations and agencies.

The AOC also provided an update to the *Jury Commissioners Handbook* and provided assistance to the Board of Court Reporting in the publication of the *Directory of Georgia Certified Court Reporters* and the *Handbook for Georgia Certified Court Reporters*. At the end of the year, updates to several other works were in progress, including the *Georgia Traffic Court Manual*, the *Georgia Probate Court Benchbook* and the *Directory of Certified Justices of the Peace and Small Claims Court Judges*, which was compiled in cooperation with the Georgia Justice Courts Training Council.

One of the AOC's other functions is to work with the news media to obtain and provide timely information on the courts. Three *Public Relations Digests*—abstracts of articles about the court system taken from Georgia newspapers—were prepared for distribution to members of the Judicial Council, the chairmen of the legislative judiciary committees, district administrative judges and district administrative assistants. The *Digests* provided information concerning public response to the activities of the state's judicial system. Also during the year, the AOC issued seventy-nine news releases to the press to announce changes and improvements in the courts.

One of the AOC's responsibilities is to produce an annual report on the work of the courts and on the work of the Judicial Council/AOC. While an *Executive Summary of the Seventh Annual Report* was completed, the annual report itself was not distributed until shortly after the start of the new fiscal year.

In total, the AOC coordinated more than eighty printing projects for the AOC and other judicial agencies. A list of publications completed in fiscal year 1981 is given below.

FY 1981 PUBLICATIONS

Alert Bulletin of Case Citations (fifteen issues)

Eighth Annual Report Regarding the Need for Additional Superior Court Judgeships in Georgia

Executive Summary of the Seventh Annual Report of the Administrative Office of the Courts of Georgia

Georgia Courts Journal (ten issues and index to Vol. VII)

Judicial Legislative Log (twelve issues)

Public Relations Digest (three issues)

1980 Georgia Courts Directory

Salary Survey of Georgia Trial Courts: 1980

SUMMARY OF FUNDS AVAILABLE: FISCAL YEARS 1980, 1981 AND 1982

The table presented below summarizes the amounts and sources of funds available to the Judicial Council/AOC during three consecutive years.

Funding Source	FY 1980	FY 1981	FY 1982*
State Appropriations	$323,395 (46%)	$484,734 (90%)	$535,743 (100%)
Federal Grants	$372,131 (54%)	$ 50,952 (10%)	0
TOTAL	$695,526 (100%)	$535,686 (100%)	$535,743 (100%)

*These figures do not include supplemental appropriations for FY 1982 which will be determined by the 1982 General Assembly.

FIVE-YEAR COMPARISON FOR JUDICIAL BUDGET (1978-1982)

Fiscal Year	Total State Appropriation	Increase	Judicial Appropriation	Increase	Per Cent of State Budget
1978	$2,262,816,271	$372,720,741	$12,604,451	$2,506,060	0.56%
1979	2,714,211,109	451,394,838	15,738,481	3,134,030	0.58%
1980	2,850,152,707	135,941,598	17,875,192	2,136,711	0.62%
1981	3,217,056,705	366,903,998	20,554,407	2,579,215	0.64%
1982	3,450,000,000	232,943,295	22,453,618	1,899,211	0.65%

RESEARCH/COURT SERVICES

The Administrative Office of the Courts gathers information on the work of the courts and provides specialized services to assist individual courts. Activities which the AOC performed in fiscal year 1981 include those in the areas of research, information systems, records and technical assistance.

Research and Published Studies

Compilation of statistical data on the judicial work of the state's courts continues to be one of the principal functions of the Administrative Office of the Courts. Such data serves as the basis for general recommendations to improve the court system and for specific, objective decisions regarding the need for change on the local level.

During the past year, research efforts were directed primarily toward the collection of caseload data in Georgia's four trial courts of record. The AOC super-

vised the statewide collection of fiscal year 1980 caseload data by the district administrative assistants, who coordinated the case counting in their respective judicial districts. The AOC collected the caseload data in the fourth district, where no court administrator served.

The study of FY 1980 filings and dispositions in the superior, state, probate and juvenile courts was conducted according to a revised, simplified methodology necessitated by a decrease in research funds. Upon completion of the manual data collection, the caseload statistics were stored in the computer located at the AOC. The subsequent data analysis involved two weighted caseload systems—the Delphi system, which evaluates dispositions by method in terms of judicial time required to process the cases as well as travel and administrative time requirements, and the ratio system, which evaluates judicial caseloads according to the type of cases filed—and resulted in the preparation and publication of the *Eighth Annual Report Regarding the Need for Additional Superior Court Judgeships in Georgia.* The Judicial Council of Georgia/AOC has undertaken the judgeship study each year to provide the General Assembly and the governor with a written recommendation for additional judicial manpower in circuits showing evidence of excessive caseload burdens.

Also during the year, the case counting methodology was updated for legislative changes to criminal and civil law to prepare for the fiscal year 1981 caseload study. A training seminar was held to instruct more than fifty persons on the new collection methods, which were identical to those used in 1979. A legislative appropriation of supplemental funds designated for the 1981 study permitted the more detailed collection procedures to again be utilized. Fiscal year 1981 caseload statistics obtained from the latest study are presented by court beginning on page 00.

For the first time, the AOC designed a study and gathered data to obtain information concerning the time required to dispose of a case in the state's superior courts. The research staff prepared the methodology, and cases were sampled in six circuits in order to determine average processing times and intermediate sequence intervals for civil and criminal cases. Four case categories were sampled: 1) felonies, 2) other criminal, 3) general civil, and 4) domestic relations. Case termination dates which fell between July 1, 1979, and June 30, 1980, were used to determine the sample cases. Computer storage of sample data accumulated in the six circuits was begun late in the year.

Following a test of the case time sequence methodology, the research staff prepared a voluntary program methodology which was mailed to each superior court judge. The voluntary program plan afforded each judge the opportunity to examine the existence of court delay in his or her own circuit.

The AOC prepared and published the *Salary Survey of Georgia Trial Courts: 1980* which presented the results of a compensation survey of seventeen different groups of judges and court personnel. The information was collected by written surveys distributed from the AOC, and a telephone survey was conducted to secure data from those persons not responding to the written survey. A total of 706 trial court personnel were contacted. Salary information on superior court judges' law assistants was detailed this year for the first time.

Other research activities included the review of selected legislative bills during the 1981 General Assembly to determine the impact of proposed legislation and review of the superior court judges' criminal benchbook prepared by the National Center for State Courts under contract with the Council of Superior Court Judges and the AOC. The research staff continued to provide information on the courts, and assisted the Voters Guild of Metropolitan Atlanta in preparation of *The Court System Handbook* by supplying updated facts on the Georgia judicial system.

Information Systems

In cooperation with the Council of Juvenile Court Judges, the Administrative Office of the Courts programmed and operated a computer to process caseload data, produce statistical reports, update mailing addresses and maintain records. The computer, purchased by the Council of Juvenile Court Judges (CJCJ) with federal grant funds for the purpose of producing juvenile statistical reports and assisting in other related research projects, was located at the AOC through an arrangement between the AOC and CJCJ. The computer became operational upon conversion of three court information systems from another computer from which both agencies had leased computer time.

Juvenile statistical reports were processed for more than twenty-five counties. The twelve kinds of reports generated by the system included those concerning the race and sex of children referred to the court, case dispositions, recidivism, complainant profiles and treatment alternatives.

Upon completion of the manual caseload data collection conducted in the superior, state, probate and juvenile courts, reports were produced on filings, dispositions and average caseloads per judge for study in relation to the Judicial Council's recommendations concerning additional superior court judgeships.

The AOC maintained a mailing address label system during the year which contained over 5,300 mailing label records. Approximately 110,000 mailing labels were produced for judicial branch agencies.

In addition, the AOC processed information for three judicial agencies. An identification card system was maintained for the Board of Court Reporting, and renewal applications for certified court reporters were produced. Caseload summary reports were printed for the Sentence Review Panel following the input of data on cases reviewed since 1974. The AOC produced a directory of more than 450 certified justices of the peace and small claims court judges for the Georgia Justice Courts Training Council.

Near the end of the fiscal year, the computer system was upgraded with the purchase of additional computer memory which allowed the system to handle a greater workload.

Records

In fiscal year 1981, the AOC carried out its responsibilities in the area of records management by utilizing funds provided by the Supreme Court to contract with personnel to develop statewide retention schedules for court records. Research conducted led to the establishment by Supreme Court Order of retention schedules for misdemeanor court records, misdemeanor transcripts,

felony transcripts, traffic court records and personal property records. By providing for the disposition of infrequently referenced court records, the schedules provide a basis for increasing the control that courts can exercise over their record-keeping systems and provide more office space.

The retention schedules establish the time period that each court record must be retained by court personnel. Decisions concerning these time periods were made on the basis of assessments of the administrative, historical, legal and fiscal value of the records involved.

Justifications for recommended retention periods were drawn from analyses of survey data and legal research. Surveys of court records and court personnel (which included the examination of more than 1,000 appellate cases) were undertaken to provide data on the uses and active life of the court records. Relevant legal authorities were examined to determine statutory limits on court discretion in records retention and disposition. The AOC combined its studies with research conducted by the Department of Archives and History to support the proposed schedules.

The AOC also developed procedures to be followed by the state's courts in implementing records retention policies. In cooperation with the Department of Archives and History, the AOC developed a form for application to the State Records Committee to establish local retention schedules. In designing its proposals, the AOC surveyed court personnel in seventy-four counties to obtain information on records procedures. The form and the statewide retention schedules were distributed to more than 1,500 judges, court personnel, government agencies and private organizations.

Technical Assistance

While in previous years the Administrative Office of the Courts was able to provide technical assistance in many areas to individual courts upon request, fiscal year 1981 brought a reduction in the kinds and extent of services available from the AOC. With the reduced staffing level, jury and records management services were eliminated, and caseload research assistance was cut back. The AOC provided technical assistance services primarily through its contract personnel in two areas—facilities and traffic/caseflow—in response to requests made in fiscal year 1980.

Technical services to improve court facilities included the development of proposals for improvements to courtrooms and court offices and the redesign of existing courthouse space to meet future needs. Architectural assistance was provided to five counties for facilities improvements in the areas listed below:

- Baldwin County—master plan for courthouse space utilization developed
- Cobb County—office space defined for solicitor and clerk of the state court
- Harris County—developed contract documents for renovation of second floor of courthouse and supervised construction
- Laurens County—plan developed to meet new facility requirements resulting from addition of superior court judgeship and abolishment of state court
- Wayne County—feasibility study on creating two courtrooms from existing courtroom conducted.

Technical assistance to traffic courts during the past year included services to three courts to assist in improving their case processing and accountability. Analyses of traffic caseflow were performed and proposals were submitted for the Probate Court of Bartow County and the State Court of Elbert County. Extensive assistance was provided to the State Court of Fulton County in analyzing its traffic, civil and criminal caseflow.

Also in the traffic area, a model traffic docket was implemented in approximately 100 probate courts and traffic courts, which included state, municipal and recorder's courts. Orientations for judges and court personnel were conducted in sixty-four courts to instruct personnel on the correct procedure for use of the model docket.

In addition, the AOC traffic contractor researched changes in laws and court practices to assist traffic judges. The *Georgia Traffic Court Manual* was revised and supplemented to reflect new case law and changes in statutes. Projects in progress at the end of the fiscal year included mail surveys to review the effectiveness of the Non-Resident Violator Compact and to determine the similarities and differences between the fines and bonds imposed by traffic courts throughout the state.

DUTIES OF THE ADMINISTRATIVE OFFICE OF THE COURTS

1) Consult with and assist judges, administrators, clerks of court and other officers and employees of the court pertaining to matters relating to court administration and provide such services as are requested.
2) Examine the administrative and business methods and systems employed in the offices related to and serving the courts and make recommendations for necessary improvement.
3) Compile statistical and financial data and other information on the judicial work of the courts and on the work of other offices related to and serving the courts.
4) Examine the state of the dockets and practices and procedures of the courts and make recommendations for the expedition of litigation.
5) Act as fiscal officer and prepare and submit budget estimates of State appropriations necessary for the maintenance and operation of the judicial system.
6) Formulate and submit recommendations for the improvement of the judicial system.
7) Perform such additional duties as may be assigned by the Judicial Council.
8) Prepare and publish an annual report on the work of the courts and on the activities of the Administrative Office of the Courts.
9) Receive grants from any source, public or private, and expend funds and perform services in accordance with the terms of any grant.
10) Prepare, publish and distribute, from time to time, studies and reports relating to the administration of justice, impose reasonable charges for such reports where appropriate on either an individual or subscription basis and retain any proceeds of such charges.
11) Provide clerical, technical, research or other assistance to individual courts to enable them more effectively to discharge their duties.
12) Enter into contracts as necessary to perform its other duties.

AOC ACTIVITIES IN REVIEW

Fiscal Services

- Administered nine grants from the Law Enforcement Assistance Administration
- Administered two grants from the National Highway and Traffic Safety Administration awarded through the Office of Highway Safety
- Began automation of payroll and accounting functions
- Coordinated FY 1982 budget requests for sixteen judicial branch agencies in preparation for the coordinated judicial budget presentation
- Served as fiscal agent for eight other judicial agencies

Communications

- Assisted in the publication of fifteen *Alert Bulletins of Current Citations*
- Compiled three *Public Relations Digests*
- Coordinated 80 printing projects for the AOC and other judicial agencies
- Distributed copies of individual pieces of proposed legislation to court officials upon request
- Issued 79 news releases of changes and improvements in the courts
- Prepared and distributed 10 *Georgia Courts Journals*
- Produced 12 weekly issues of the *Judicial Legislative Log*
- Provided information about the AOC and data on the judicial system on file at the AOC to legislators upon request
- Published the *Executive Summary of the Seventh Annual Report of the Administrative Office of the Courts of Georgia*
- Published and distributed the *1980 Georgia Courts Directory*
- Tracked more than 450 court-related measures during the 1981 Session of the General Assembly

Research and Published Studies

- Answered technical assistance requests for caseload and salary data, judicial legislation information, budget information and other information on file at the AOC
- Conducted and published a salary survey of superior, state, probate and juvenile court judges and court personnel
- Conducted a seminar to review procedures, techniques and case definitions for caseload data collection
- Coordinated case-counting with the judicial administrative districts and compiled caseload data
- Counted cases in the fourth judicial district
- Designed a study to obtain information on case disposition times in the superior courts
- Revised case-counting procedures and manual for the 1981 case-counting effort
- Studied the need for additional judicial manpower on a statewide basis

Information Systems

- Maintained an identification card system and renewal application forms for certified court reporters for the Board of Court Reporting
- Processed twelve kinds of juvenile statistical reports for 25 counties in regard to the implementation of the Statewide Juvenile Information System
- Produced a directory of certified justices of the peace and small claims court judges for the Georgia Justice Courts Training Council
- Produced caseload reports for a study of judicial workload in the superior, state, probate and juvenile courts
- Produced caseload reports for the Superior Courts Sentence Review Panel
- Programmed and operated the computer located at the AOC in cooperation with the Council of Juvenile Court Judges
- Updated and maintained a mailing address label system and produced 110,000 labels for judicial branch agencies

Records

- Developed procedures for implementing local records retention policies
- Developed statewide retention schedules for misdemeanor court records, felony transcripts, traffic court records and personal property records
- Distributed statewide retention schedules to more than 1,500 judges, court personnel and agencies
- Surveyed court personnel in 74 counties to obtain information on records procedures

Technical Assistance

- Conducted orientations in 64 courts on the use of the model traffic docket
- Implemented model traffic docket in 100 probate, state, municipal and recorders' courts
- Maintained a traffic court lending library for traffic court judges
- Provided technical assistance to three courts to assist in improving case processing
- Provided architectural assistance to five counties for facilities improvements

Publications Available Through the Traffic Court Lending Library

Agnor's *Georgia Evidence* (1976 with 1981 Supplements)

Better Traffic Courts: Key to Safety, American Bar Association (1971)

Courts and the Public, National Judicial College (1977)

Drivers Licensing and the Law, Traffic Institute (1967)

Ethics for Judges, National Judicial College (1975)

Evidence Handbook, Traffic Institute (1975)

Function of the Trial Judge, American Bar Association (1972)

Guidelines for Planning and Developing State and Community Alcohol Safety Programs, U.S. Department of Transportation (1973)

Highway Safety Program Standards, U.S. Department of Transportation (1974)

Interpretation of Implied Consent Laws by the Courts, Traffic Institute (1972)

Laws of Arrest, Edward Fisher (1967)

Legal Aspects of Speed Measurement Devices, Edward Fisher (1972)

Manual on Uniform Traffic Control Devices, U.S. Department of Transportation (1970)

Standards for Traffic Justice, American Bar Association (1975)

Traffic Court Procedure and Administration, James P. Economos (1961)

Trial Judge's Guide: Objections to Evidence, E. Gardner Brounlee (1974)

Vehicle Traffic Law, Traffic Institute (1974)

SUMMARY OF FUNDS ADMINISTERED BY THE JUDICIAL COUNCIL OF GEORGIA/ADMINISTRATIVE OFFICE OF THE COURTS IN FISCAL YEAR 1981

Project	Funding Source	Funds Available*	Expenditures*
Administrative Office of the Courts			
General	State Funds	$484,734	$483,701
Law clerk for Flint Judiciai Circuit	Governor's Emergency Fund	6,000	5,311
Travel Expenses—Council of Superior Court Judges Liaison Committee	Governor's Emergency Fund	1,200	856
Court Administration	LEAA Grant 79A-32-7905-0001	42,536	42,536
Computer Services	LEAA Grant 78A-08-001	3,616	3,615
Judicial Education	LEAA Grants 79A-32-7907-0002	134,534	134,534
	80A-32-8007-0001**	50,000	28,583
Traffic Court Improvement	LEAA Grants 80-20-06-A-302-07	4,800	4,257
	81-46-04-A-307-02**	19,184	9,576
Institute of Continuing Judicial Education	State Funds	120,000	120,000
Judicial Administrative Districts	State Funds	420,366	420,366
Advisory Council for Probation	State Funds	54,919	54,919
Board of Court Reporting	State Funds	12,293	12,293
	Fees	19,857	16,333
Council of Juvenile Court Judges	State Funds	87,500	87,500
Purchase of Computer	LEAA Grant 78A-18-003	67,317	67,317
Purchase of Services	LEAA Grants 78A-23-025	193,901	45,953
	78J-23-020	293,353	140,881
	80J-32-8006-0002**	370,000	185,953
Georgia Justice Courts Training Council	State Funds	11,000	11,000
	Fees	19,656	12,102
Judicial Planning Committee	1980 LEAA Contract 80P-JPC	24,557	21,577
Judicial Qualifications Commission	State Funds	56,000	40,570
Superior Courts Sentence Review Panel	State Funds	$ 67,360	$ 67,201
Superior Court Judges Benchbook	State Funds	30,000	27,454
Pattern Jury Instructions	State Funds	5,000	4,706
TOTAL		$2,599,373	$2,049,094

*Rounded to the nearest dollar.
**Grants awarded in fiscal year 1981.

THE COURTS OF GEORGIA

During the year, judicial personnel, the legislature, court-related groups and the general public continued to study the topic of court revision.

Five constitutional courts and more than ten types of courts created by local charter or by specific act of the General Assembly form the Georgia judicial system.

Constitutionally created courts are those courts whose jurisdiction and judge qualifications are determined by the Georgia Constitution. They include the Supreme Court, the Court of Appeals, superior courts, probate courts and justice of the peace courts. The Supreme Court and the Court of Appeals are the only two courts that are entirely state funded.

Some courts are created by statute and exercise limited jurisdiction throughout the county. The jurisdiction and criteria for judges of such courts are determined by their respective creating acts. Among these courts are state courts, juvenile courts, county courts, civil courts, magistrate's courts and small claims courts.

Other locally established courts retain jurisdiction to hear violations of local laws and ordinances. They include recorder's courts, municipal courts, city courts, mayor's courts and police courts. (See Organizational Chart on page 22.)

FISCAL YEAR 1981

Judicial Revision

During the year, judicial personnel, the legislature, court-related groups and the general public continued to study the topic of court revision which had been considered since 1977.

By the end of October, 1980, the Committee to Revise the Judicial Article of the Georgia Constitution had submitted its draft of Article VI to the Select Committee on Constitutional Revision, whose members included the Governor, Lieutenant Governor, Chief Justice of the Supreme Court, Chief Judge of the Court of Appeals, Attorney General, a senior superior court judge, Speaker of the House of Representatives, President and Speaker Pro Tempore of the Senate, and the chairmen of two of the legislature's judiciary committees.

Prior to completion of its final draft, the Judicial Article Committee presented its changes at a conference of court-related groups which included representatives from the judiciary, the media, the bar, court administration, legislative and executive offices and citizen groups. Held in mid-September, the conference afforded these diverse groups the opportunity to hear and discuss the proposed changes in forums organized by judicial administrative district.

Judges and court personnel were provided another forum to express their reaction to the proposed Judicial Article by the Institute of Continuing Judicial Education in January. The Institute sponsored the Third Convocation of the Georgia Judiciary in Athens for approximately 275 attendees from all levels of the state's courts. During the two-day event, judges held intra-court meetings, and inter-court district assemblies met to discuss questions concerning the Judicial Article.

By the end of the fiscal year, public meetings across the state had provided citizens a chance to view the result of the Committee's revision efforts. The proposed draft included fundamental principles for the establishment of a structured court system upon which future development would be based. The revised Judicial Article was scheduled to be presented to the General Assembly for its consideration at the special legislative session beginning in late August.

Coordinated Budget

Plans formed shortly before the beginning of fiscal year 1981 for the development of a coordinated judicial budget culminated in the 1982 coordinated budget presentation made by the Presiding Justice of the Supreme Court to the state legislature. It marked the first time that all judicial branch agencies receiving appropriations from the state, which currently number sixteen, submitted individual budget requests through the Supreme Court rather than directly to the General Assembly. In preparation for the budget presentation, the Supreme Court was assisted by the Administrative Office of the Courts in compiling the judicial budgets.

The objective of the coordinated judicial budget was to allow the General Assembly to consider the requests in a more concise form to facilitate consideration of the judiciary's funding needs on a statewide level.

New Judicial Agency

The past year was the first full year of operation for the Advisory Council for Probation, which was established by the 1980 General Assembly to work with the Board and Department of Offender Rehabilitation on probation matters.

The Advisory Council is composed of ten superior court judges, each of whom represents a particular judicial administrative district. After the initial one, two and three-year terms of office, all members will serve staggered three-year terms. The council employs a staff director and a secretary.

The creating act authorizes the council to conduct studies and surveys and to make recommendations to the Board and Department of Offender Rehabilitation for improvements in the probation services rendered throughout the state.

Legislation Affecting the Courts

Upon recommendation of the Judicial Council of Georgia, the 1981 General Assembly provided assistance to seven existing judicial circuits by enacting legislation creating new superior court judgeships. The additional judgeships were established in the Conasauga, Macon, Mountain, Pataula, Southwestern, Toombs and Waycross judicial circuits. An additional judgeship was also provided for the Douglas Judicial Circuit which will be created in 1983 from the existing Tallapoosa Judicial Circuit.

The addition of the new judgeships raises to 118 the number of superior court judicial positions allocated throughout the state, although two of the judges will not assume office until January 1, 1983. There have been a total of fifty superior court judgeships created since 1971.

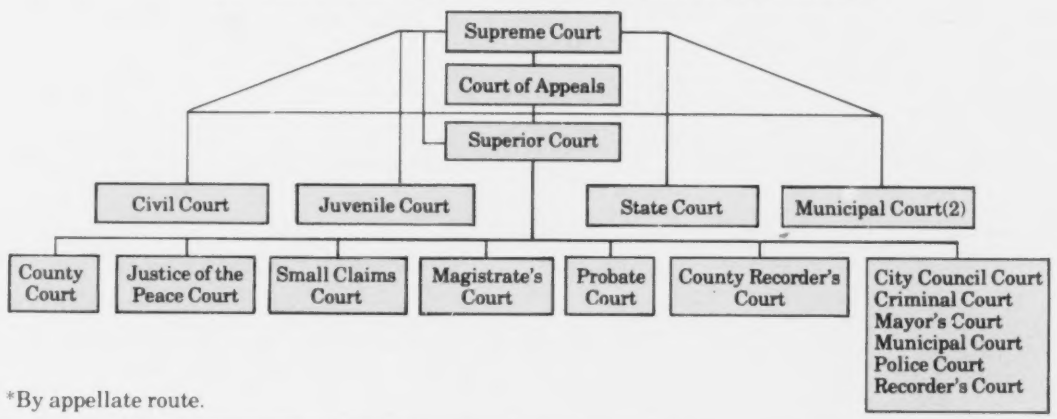
The legislature also established seven new small claims courts, bringing the total number of small claims courts in Georgia to 104. The counties for which the courts were created include Gilmer, Johnson, Montgomery, Oglethorpe, Quitman, Talbot and Wheeler.

Legislative action also increased the civil monetary jurisdiction of twenty-six of the state's small claims courts. The increases ranged from 25 to 300 percent ($300-$2,250).

Several bills affecting judicial and court personnel compensation passed during the 1981 session. The General Assembly granted cost-of-living raises to appellate and superior court judges as part of the state employees' cost-of-living increase and raised minimum salaries for superior court clerks and probate court judges, who also received an increase in their additional monthly compensation for conducting elections or hearing traffic cases. In addition, official court reporters were awarded an increase in their monthly expense and travel allowance, and provisions relative to reimbursement of expenses for senior superior court judges were changed to allow these judges to choose one of two options for reimbursement when they serve outside their counties of residence.

The 1981 legislature passed three measures pertaining to the training of judges and superior court clerks. The Council of Juvenile Court Judges was authorized to establish in-state training seminars for all judges and referees exercising juvenile court jurisdiction. The training requirement for justices of the peace and small claims court judges was changed to exempt any judge who has been a practicing attorney in the state for at least four years. A 40-hour training requirement

GEORGIA JUDICIAL SYSTEM ORGANIZATIONAL CHART*



*By appellate route.

for newly-elected or appointed superior court clerks was established. The Superior Court Clerks Training Council was created and authorized to recommend program curricula to the Institute of Continuing Judicial Education, which will conduct the training seminars.

Judicial workloads of the principal courts of record for fiscal year 1981 (July 1, 1980—June 30, 1981) are presented in statistical form on the following pages. The statistics are based on reports submitted to the Administrative Office of the Courts by court personnel and by district administrative assistants and others who participated in the AOC's case counting project. Forms, methodology, training and other assistance were provided by the AOC in connection with the data collection.

APPELLATE COURTS

The Supreme Court and the Court of Appeals form Georgia's principal appellate court structure. The Supreme Court may hold sessions around the state, and the Court of Appeals sits in Atlanta to review decisions, decide appeals and correct errors from the trial courts.

While the caseloads of both courts are among the highest of the appellate courts in the United States, each is charged by the state's Constitution to dispose of every case at the term, or the following term, in which the case is filed. If a decision is not rendered in a case in the required time period, the lower court ruling stands. By the end of fiscal year 1981, neither court had failed to decide an issue within the specified time.

Supreme Court of Georgia

The highest appellate court, the Supreme Court retains no original jurisdiction. Its appellate jurisdiction extends to cases involving:

1) the construction of the Constitution of the State of Georgia or of the United States, or of treaties between the United States and foreign governments;
2) the constitutionality of any law of the State of Georgia or of the United States;
3) title to land;
4) equity;
5) the validity of or construction of wills;
6) the conviction of a capital felony;
7) habeas corpus;
8) extraordinary remedies;
9) divorce and alimony; and,
10) questions certified by the Court of Appeals.

The Supreme Court has inherent power to make such orders as are necessary to preserve the Court's jurisdiction, such as granting *supersedeas* and giving direction to trial courts.

The Supreme Court hears cases on appeal from the superior courts, the state courts, the juvenile courts and other similar courts. During its three terms of court which are held beginning in September, January and April each year, the Supreme Court also considers cases on certiorari and cases transferred from the Court of Appeals.

The Supreme Court is composed of seven associate justices elected to staggered, six-year terms. The justices elect one of their members as chief justice and one as presiding justice. The chief justice serves as the spokesman for the Court and presides at oral arguments and court conferences, and the presiding justice acts in the absence of the chief justice and performs such other duties as are assigned to him.

By order of the Court, several state agencies are attached to the Supreme Court as administrative arms. They include the State Bar of Georgia, the Institute of Continuing Judicial Education, the Judicial Qualifications Commission and the Judicial Council/Administrative Office of the Courts.

The Supreme Court prescribes the duties of the Judicial Qualifications Commission and reviews the Commission's findings to accept or reject its conclusions and recommendations. During the past year, the Court approved a general revision of rules governing the Commission's investigations and hearings. Effective January 20, 1981, Rule 18 of the Commission limits the confidentiality of judicial misconduct proceedings by providing for the removal of confidentiality from notice of a formal hearing, a formal hearing, reports to the Supreme Court recommending discipline and decisions of the Commission when the judge is determined to be not guilty of misconduct.

Among its other activities, the Supreme Court amended two orders affecting the membership of the Judicial Council and the duties of the Administrative Office of the Courts. Upon petition of the Judicial Council, the Court amended its order of February 6, 1980, which restructured the Council, to provide for a twenty-fourth member to be added to the Council to represent local, limited jurisdiction courts. Two other changes to the order permitted members who had served terms of one year or less to succeed themselves for a full three-year term and allowed members who attained senior judge status during their term to complete their term on the Council.

By amending its Order of June 12, 1978, which made the Judicial Council an administrative arm of the Court, the Supreme Court authorized the Administrative Office of the Courts to receive grants, impose charges for certain reports when appropriate, provide assistance to individual courts and enter into contracts.

Pursuant to a 1980 act providing for the Supreme Court to establish by rule a unified appeal procedure to be followed in death penalty cases, the Supreme Court submitted to the 1981 General Assembly its rules regarding unified appeal. The legislature approved the rules, which include an outline of proceedings and a checklist to be utilized by the court, defense counsel and prosecuting attorney before, during and after trial.

The purpose of the outline of proceedings promulgated by the Court is to ensure that all possible issues which could be raised on a defendant's behalf have been considered by the defendant and his counsel, as well as asserted in a correct manner, or waived. In addition, the outline is intended to prevent, and in some cases correct, errors, to cause the record to show the pertinent issues and to assure that the record and transcripts are complete for the unified review of all challenges to the judgement and the sentence.

During the year, Rule 31 of the Supreme Court was amended at the request of the Court of Appeals to require the filing of a motion for rehearing in the Court of Appeals before the filing of an application for certiorari in the Supreme Court. The amended rule, which is effective September 1, 1981, was changed to read as follows:

Rule 31. A Motion for Rehearing is a prerequisite to

filing an application for certiorari. The times specified herein shall run from the date of the order overruling the Motion for Rehearing. Notice of Intention to apply for certiorari shall be given to the Clerk of the Court of Appeals within ten (10) days after the order overruling the Motion for Rehearing. The Application for certiorari shall be filed with the Clerk of the Supreme Court within twenty (20) days after the order overruling the Motion for Rehearing.

In 1980 the Supreme Court published more opinions than any other state's high court. (The number of opinions published totaled almost as many as those published in the states of California, Delaware, Hawaii, Kentucky, New Jersey and Wyoming combined.) A summary of the Supreme Court's FY 1981 (September 1, 1980—August 31, 1981) caseload is given below and includes filings, dispositions and motions.

Supreme Court Caseload: FY 1981
(September 1, 1980—August 31, 1981)

Case Type	Filed	Disposed			
		Opinions Written	Affirmed Without Opinion	Granted	Denied
Direct Appeals	595	509	76		
Certiorari Petitions	492			76	416
Habeas Corpus Applications	132			17	115
Interlocutory Appeal Applications	58			28	30
Discretionary Appeal Applications	163			68	95

In addition to the above filings, five certified questions were filed during the year, making a total of **1,445** cases filed.

There were 184 additional cases disposed, eighty-four (84) by transfer to the Court of Appeals and 100 by "other" methods.

Number of cases reviewed by the Court totaled **1,614.**

Also during the year, the Court considered **157** Motions for Rehearing and **67** Motions for Reconsideration.

Georgia Court of Appeals

The Court of Appeals is vested with jurisdiction to correct errors on appeal from the same trial courts which may appeal to the Supreme Court in those cases in which exclusive jurisdiction is not conferred on the Supreme Court. Such cases include claims for damages, criminal cases other than capital felonies and cases involving workmen's compensation and insurance claims.

The Court of Appeals has nine judges and is divided into three divisions of three judges. The judges elect a chief judge, who presides over the first division and who appoints two presiding judges to sit at the head of the other two divisions. Any decision rendered by a division is final unless a single judge dissents, whereupon the case is considered by the entire Court. When there is an equal division of judges hearing a case *en banc*, the case is transferred to the Supreme Court.

Court of Appeals judges are elected to staggered, six-year terms of office in statewide elections. The Court holds three terms of court per year, beginning in January, April and September.

Fiscal year 1981 caseload information for the Court of Appeals is presented below.

Georgia Court of Appeals Caseload: FY 1981

2,086 Cases Docketed
291 Interlocutory Appeals
165 Discretionary Appeals

133 Cases Withdrawn
104 Cases Transferred to Supreme Court
61 Cases Dismissed by Order (without opinion)
15 Cases Stricken from Docket and Returned to Lower Court
1,664 Opinions Written

SUPERIOR COURTS

Georgia's court of general jurisdiction and its highest trial court, the superior court has been established since the late eighteenth century. It is the state's major trial court of record and is required by law to maintain minutes of trials, records of decisions and other books and files as official documents.

Each county has a superior court, although a superior court judge may serve more than one county. Groups of counties (from one to eight) form circuits, which are the basic unit of superior court organization and which serve as the basis for allocation of additional superior court judicial manpower. There are presently forty-two judicial circuits in the state. A forty-third circuit (Douglas Judicial Circuit), created from an existing judicial circuit by the 1980 legislature, will become effective January 1, 1983.

For the purpose of administration, the judicial circuits are organized into ten judicial districts drawn to correspond closely with U.S. congressional districts. The superior court judges of each district elect one of their number to act as the administrative judge.

While a total of 118 superior court judicial positions have been allocated thoughout the state, there were 114 active superior court judges at the end of fiscal year 1981. Of the remaining four judgeships, one becomes effective in October, 1981, one takes effect January 1, 1982, and two judges will be elected to terms beginning January 1, 1983.

Superior court judges are elected to four-year terms, except in the Atlanta Judicial Circuit where the term is eight years. The governor appoints qualified attorneys to fill vacancies and new judgeships from a list provided by the Judicial Nominating Commission. Superior court judges may be called to fill a temporary vacancy on the Georgia Supreme Court, the Court of Appeals or certain limited jurisdiction courts.

The Georgia Constitution grants superior courts exclusive jurisdiction in cases of divorce, cases involving equity and land titles and felony cases. The superior court in any circuit has concurrent jursidiction with the limited jurisdiction trial courts in the counties that comprise the circuit except for some juvenile and probate matters. It is also authorized to correct errors made by lower courts by issuing writs of certiorari. For some courts, the right of direct review by the superior court applies.

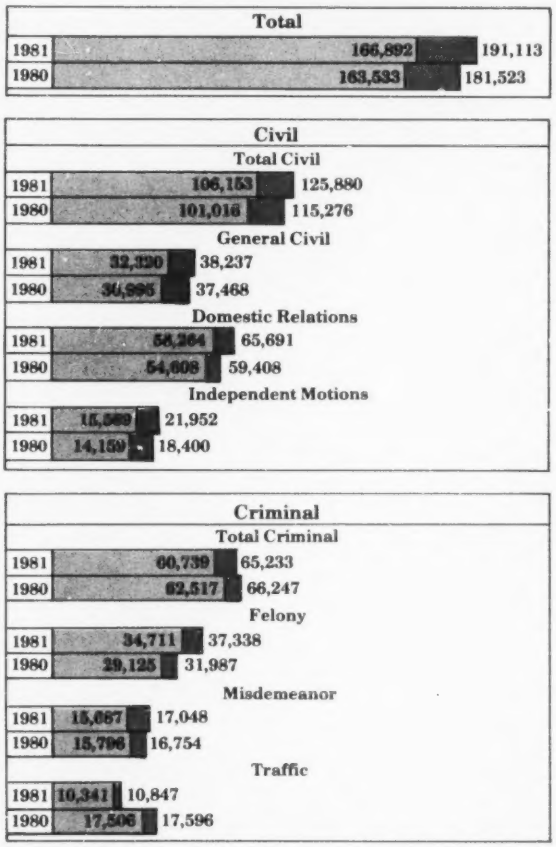
The 1981 General Assembly created eight new superior court judgeships—in the Conasauga, Douglas, Macon, Mountain, Pataula, Southwestern, Toombs and Waycross judicial circuits—to assist with excessive caseload burdens around the state. A bill submitted during the legislative session to split the existing Blue Ridge Judicial Circuit and provide an additional super-

ior court judge failed to pass, but was left pending until the 1982 term.

Each of the eight judgeship acts provided for the manner in which the new judge was to assume office and for his term. The governor was authorized to appoint a new judge for six circuits—Macon, Mountain, Pataula, Southwestern, Toombs and Waycross. The new judgeships for the Conasauga and Douglas judicial circuits will be filled by election at the November, 1982, general election. Appointed judges will also stand for election at that time.

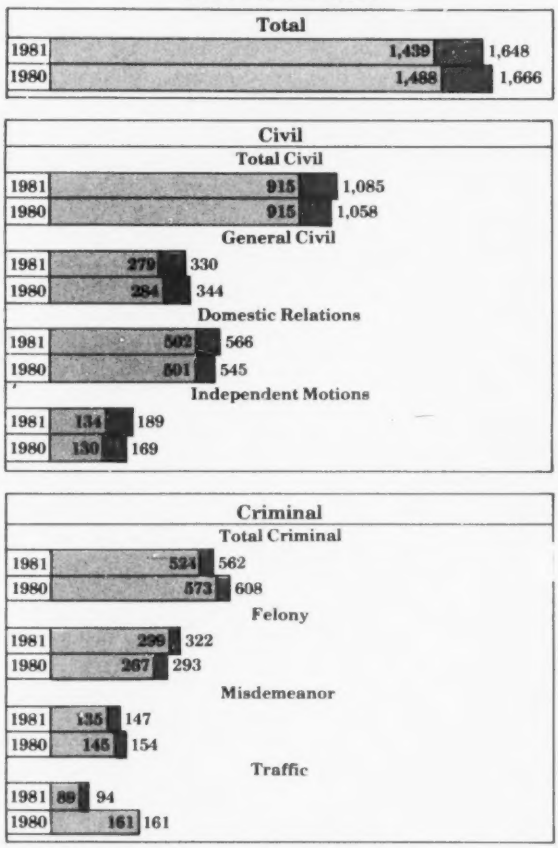
Presented below are two charts and one table containing superior court caseload data. The first chart compares criminal and civil case filings by six case types for fiscal years 1980 and 1981, as well as total caseload filings and dispositions for the two years. The second chart gives the same information in terms of caseload per judge. The table on pages 26 and 27 presents FY 1981 total superior court caseload by circuit and case type.

TOTAL SUPERIOR COURT CASELOAD: FY 1981 AND FY 1980* (Docket Entries)



*FY 1980 figures do not include data for Cobb Judicial Circuit.

AVERAGE CASELOAD PER SUPERIOR COURT JUDGE: FY 1981* AND FY 1980 (Docket Entries)**



*Based on 116 superior court judges.
**Based on 104 superior court judges.

Key: Cases filed; Cases disposed

FY 1981 SUPERIOR COURT CASELOAD
(Docket Entries)

Circuit	Criminal							
	Felony		Misdemeanor		Traffic		Total Criminal	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Alapaha	677	513	1,329	1,064	1,729	1,671	3,735	3,248
Alcovy	540	389	432	398	73	77	1,045	864
Atlanta	5,477	5,475	0	0	0	0	5,477	5,475
Atlantic	573	553	101	102	279	282	953	937
Augusta	779	703	179	200	58	79	1,016	982
Blue Ridge	718	514	812	724	668	528	2,198	1,766
Brunswick	541	653	144	175	378	390	1,063	1,218
Chattahoochee	2,735	2,574	353	325	317	261	3,405	3,160
Cherokee	770	640	1,184	1,133	2,336	2,299	4,290	4,072
Clayton	919	742	5	4	10	8	934	754
Cobb	2,646	2,688	70	71	53	53	2,769	2,812
Conasauga	561	531	556	480	246	200	1,363	1,211
Cordele	389	352	708	582	28	22	1,125	956
Coweta	872	878	216	219	140	126	1,228	1,223
Dougherty	807	812	0	10	0	0	807	822
Dublin	280	163	400	111	1	6	681	280
Eastern	1,674	1,724	105	112	289	304	2,068	2,140
Flint	363	318	367	297	34	23	764	638
Griffin	695	606	537	507	488	458	1,720	1,571
Gwinnett	737	631	0	0	4	4	741	635
Houston	309	252	0	0	0	0	309	252
Lookout Mountain	896	657	1,153	1,111	297	236	2,346	2,004
Macon	1,178	893	161	142	36	28	1,375	1,063
Middle	492	417	2	2	0	0	494	419
Mountain	313	252	176	152	92	73	581	477
Northeastern	621	642	569	384	511	415	1,701	1,441
Northern	329	281	578	540	29	14	936	835
Ocmulgee	1,166	1,054	1,035	876	220	234	2,421	2,164
Oconee	417	409	567	538	205	217	1,189	1,164
Ogeechee	484	405	58	54	112	113	654	572
Pataula	392	309	501	342	55	41	948	692
Piedmont	248	197	345	329	372	382	965	908
Rome	563	514	1,426	1,714	53	44	2,042	2,272
South Georgia	850	701	164	140	43	39	1,057	880
Southern	877	836	201	208	1	1	1,079	1,045
Southwestern	435	395	87	81	4	4	526	480
Stone Mountain	2,607	2,432	354	343	37	36	2,998	2,811
Tallapoosa	631	787	855	980	327	341	1,813	2,108
Tifton	442	209	279	141	9	5	730	355
Toombs	256	294	806	876	1,092	1,126	2,154	2,296
Waycross	504	625	154	146	170	151	828	922
Western	575	691	79	74	51	50	705	815
TOTAL FY 1981	37,338	34,711	17,048	15,687	10,847	10,341	65,233	60,739
Average per Judge*	322	299	147	135	94	89	562	524

*Based on 116 superior court judges.

FY 1981 SUPERIOR COURT CASELOAD
(Docket Entries)

Civil									
General Civil		Domestic Relations		Independent Motions		Total Civil		Total Caseload	
Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
479	355	464	353	213	110	1,156	818	4,891	4,066
707	500	816	643	353	186	1,876	1,329	2,921	2,193
3,594	4,248	4,647	5,569	792	716	9,033	10,533	14,510	16,008
908	773	1,169	1,114	287	213	2,364	2,100	3,317	3,037
959	727	3,341	2,771	725	559	4,925	4,057	5,941	5,039
572	499	1,413	1,267	384	167	2,369	1,933	4,567	3,699
1,139	878	2,057	1,922	578	422	3,774	3,222	4,837	4,440
963	675	3,292	2,283	844	541	5,099	3,499	8,504	6,659
1,076	840	938	743	804	549	2,818	2,132	7,108	6,204
818	847	2,652	2,423	418	373	3,888	3,643	4,822	4,397
1,178	761	4,726	4,153	1,083	717	6,987	5,631	9,756	8,443
1,504	1,320	1,400	1,377	287	225	3,191	2,922	4,554	4,113
564	392	443	331	343	177	1,350	900	2,475	1,856
944	752	2,192	1,958	984	707	4,120	3,417	5,348	4,640
469	333	1,446	1,366	357	209	2,272	1,908	3,079	2,730
783	404	584	370	434	220	1,801	994	2,482	1,274
722	519	2,724	2,249	447	374	3,893	3,142	5,961	5,282
938	788	843	721	512	418	2,293	1,927	3,057	2,565
767	930	1,357	1,611	572	756	2,696	3,297	4,416	4,868
507	420	2,190	2,112	897	711	3,594	3,243	4,335	3,878
285	266	1,192	1,015	296	222	1,773	1,503	2,082	1,755
996	1,062	1,563	1,513	540	477	3,099	3,052	5,445	5,056
938	767	2,444	2,113	404	301	3,786	3,181	5,161	4,244
494	257	769	446	448	154	1,711	857	2,205	1,276
432	382	668	600	321	216	1,421	1,198	2,002	1,675
700	758	999	888	462	396	2,161	2,042	3,862	3,483
798	608	1,052	879	335	188	2,185	1,675	3,121	2,510
1,271	789	1,146	748	839	403	3,256	1,940	5,677	4,104
679	442	583	362	400	213	1,662	1,017	2,851	2,181
563	606	737	743	200	253	1,500	1,602	2,154	2,174
596	530	377	316	276	152	1,249	998	2,197	1,690
620	503	564	478	308	155	1,492	1,136	2,457	2,044
994	812	933	811	856	629	2,783	2,252	4,825	4,524
675	590	787	754	362	258	1,824	1,602	2,881	2,482
1,035	861	1,813	1,524	664	438	3,512	2,823	4,591	3,868
687	599	610	541	315	210	1,612	1,350	2,138	1,830
2,653	2,088	5,589	4,771	1,277	940	9,519	7,799	12,517	10,610
2,002	1,408	1,527	1,097	766	497	4,295	3,002	6,108	5,110
538	420	870	699	627	347	2,035	1,466	2,765	1,821
391	300	541	395	226	123	1,158	818	3,312	3,114
701	681	1,310	1,260	407	328	2,418	2,269	3,246	3,191
598	630	1,023	975	309	319	1,930	1,924	2,635	2,739
38,237	32,320	65,691	58,264	21,952	15,569	125,880	106,153	191,113	166,892
330	279	566	502	189	134	1,085	915	1,648	1,439

STATE COURTS

The Georgia legislature established state courts as a general class of limited jurisdiction courts in 1970 by designating that certain existing courts with county-wide jurisdiction would be called "state courts". The legislative action excluded a number of courts which possessed similar characteristics, but which continued to operate as special courts, namely the civil courts of Bibb and Richmond counties and the county courts of Baldwin, Echols and Putnam counties.

There are presently sixty state courts located in sixty-one counties in Georgia. One court, the State Court of Cherokee and Forsyth Counties, was created as a multi-county court in 1974. Most recently, the legislature abolished the State Court of Laurens County, effective January, 1981, when a second superior court judgeship in the Dublin Judicial Circuit took effect

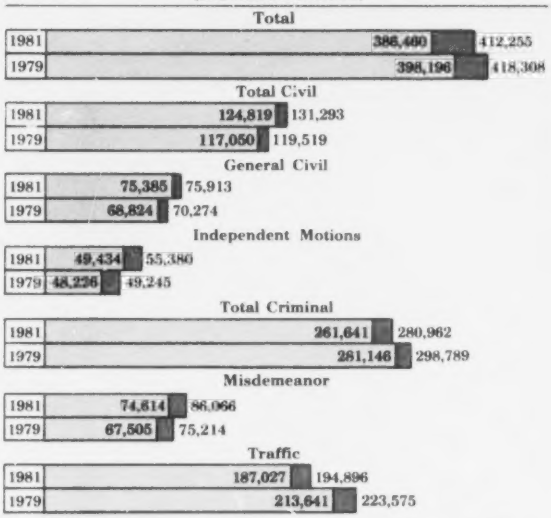
Seventy-seven judges serve in the state courts. Thirty judges (39%) are full-time judges, while the other forty-seven serve part-time and are permitted to practice law in courts other than their own. Most state court judges are elected by the voters of their respective counties for terms of four years.

Because state courts have been individually created by legislation, the jurisdiction exercised varies. Generally, state courts retain jurisdiction in civil and criminal cases in which exclusive jurisdiction is not vested in the superior courts.

State court civil jurisdiction extends to most civil cases including contract and tort cases, except tort actions where the court's creating act or subsequent amendments limited or excluded certain jurisdiction by statute. State courts have criminal jurisdiction over all misdemeanor cases in the county, but have no authority to hear felony cases (except committal hearings), which are within the exclusive jurisdiction of the superior court.

Listed below is a comparison of total state court caseload by case type for fiscal years 1981 and 1979. (1979 data is provided because 1980 data was obtained using a different methodology.) Fiscal year 1981 filings and dispositions by county are present in tabular form.

TOTAL STATE COURT CASELOAD: FY 1981 AND FY 1979* (Docket Entries)



***Because another methodology was employed in the collection of FY 1980 caseload data, comparative data is presented for FY 1981 and FY 1979. FY 1979 and FY 1978 figures do not include data for the State Court of DeKalb County.**

Key: Cases filed; Cases disposed

FY 1981 STATE COURT CASELOAD (Docket Entries)

County	Misdemeanor		Traffic		General Civil		Independent Motions		Total	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Appling	131	123	679	742	33	18	12	7	855	890
Baldwin[1]	1,275	1,279	2,131	2,142	0	0	0	0	3,406	3,421
Bibb	3,616	3,302	3,853	3,465	662	500	205	111	8,336	7,378
Bryan	151	151	2,452	2,452	48	30	20	10	2,671	2,643
Bulloch	669	444	1,681	1,438	129	153	105	37	2,584	2,072
Burke	412	412	1,981	1,981	92	65	106	94	2,591	2,552
Candler	52	49	2,108	1,675	21	16	15	8	2,196	1,748
Carroll	1,256	657	3,179	3,078	688	545	132	25	5,255	4,305
Chatham	2,483	2,544	2,487	2,485	5,128	3,478	3,157	902	13,255	9,409
Cherokee[2]	1,554	1,522	4,247	4,274	615	958	102	109	6,518	6,863
Clarke	496	272	628	574	225	222	71	61	1,420	1,129
Clayton	3,246	3,095	12,292	11,856	3,507	3,764	1,226	1,913	20,271	20,628
Clinch	111	111	1,071	1,071	3	3	3	1	1,188	1,186
Cobb	9,078	7,352	30,105	28,366	7,662	6,405	3,897	3,193	50,742	45,316
Coffee	625	194	1,383	544	89	62	25	23	2,122	823
Colquitt	738	703	687	667	52	44	15	6	1,492	1,420
Coweta	1,189	1,264	4,558	4,384	412	361	123	86	6,282	6,095
Decatur	973	954	1,626	1,670	31	16	9	4	2,639	2,644

FY 1981 STATE COURT CASELOAD
(Docket Entries)

County	Misdemeanor		Traffic		General Civil		Independent Motions		Total	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
DeKalb[3]										
Dougherty	4,188	3,958	3,737	3,924	1,678	1,563	3,016	1,570	12,619	11,015
Early	403	399	570	569	28	25	17	8	1,018	1,001
Echols[1]	31	31	211	211	0	0	0	0	242	242
Effingham	171	184	1,242	1,346	69	51	18	15	1,500	1,596
Elbert	432	332	763	955	27	22	13	11	1,235	1,320
Emanuel	1,127	745	2,717	2,339	17	3	3	0	3,864	3,087
Evans	145	145	691	691	10	18	20	7	866	861
Forsyth[2]	815	805	2,640	2,507	432	425	86	50	3,973	3,787
Fulton	13,627	10,159	22,804	22,636	44,398	47,813	38,552	38,418	119,381	119,026
Glynn	1,512	2,161	7,164	6,054	1,285	1,201	1,377	1,217	11,338	10,633
Grady	462	308	1,106	1,106	39	33	12	5	1,619	1,452
Gwinnett	3,164	3,261	974	1,136	2,827	2,757	1,000	360	7,965	7,514
Habersham	619	594	593	592	65	58	18	6	1,295	1,250
Hall	2,660	2,494	6,179	5,967	1,073	1,102	328	256	10,240	9,819
Houston	2,003	1,752	5,333	5,118	1,064	744	383	187	8,783	7,801
Jackson	545	396	4,008	3,488	215	159	124	49	4,892	4,092
Jefferson	347	338	1,749	1,747	61	33	29	10	2,186	2,128
Jenkins	246	242	430	418	186	161	26	17	888	838
Johnson	16	15	266	192	20	29	18	5	320	241
Laurens[4]	182	301	1,958	2,535	62	75	30	8	2,232	2,919
Liberty	127	112	7,346	7,286	75	19	17	3	7,565	7,420
Long	46	46	465	465	13	18	1	0	525	529
Lowndes	2,058	2,153	8,860	9,369	234	166	66	28	11,218	11,716
Macon	205	176	643	625	28	33	22	33	898	867
Miller	90	77	769	750	37	24	5	5	901	856
Mitchell	444	300	1,232	1,107	34	29	6	4	1,716	1,440
Muscogee	3,153	2,699	3,433	3,138	597	409	51	7	7,234	6,253
Pierce	157	133	358	342	30	24	12	11	557	510
Polk	287	173	1,092	1,027	362	333	107	69	1,848	1,602
Putnam[1]	570	556	674	659	0	0	0	0	1,244	1,215
Richmond	7,909	6,619	8,368	7,738	329	265	172	145	16,778	14,767
Screven	302	232	1,040	1,019	73	49	0	0	1,415	1,300
Spalding	885	668	1,705	1,450	80	58	18	13	2,688	2,189
Stephens	437	390	564	518	47	30	11	4	1,059	942
Sumter	1,386	1,083	1,015	962	103	132	56	68	2,560	2,245
Tattnall	142	121	1,120	1,192	33	23	19	11	1,314	1,347
Thomas	1,356	1,190	2,291	2,139	48	26	20	10	3,715	3,365
Tift	1,057	513	689	483	259	201	215	14	2,220	1,211
Toombs	429	434	809	704	27	23	13	3	1,278	1,164
Treutlen	243	243	1,747	1,575	19	20	9	0	2,018	1,838
Troup	1,323	1,330	969	912	226	184	122	52	2,640	2,478
Walker	664	612	2,465	2,391	37	67	22	14	3,188	3,084
Ware	862	736	1,969	1,798	155	151	85	129	3,071	2,814
Washington	809	735	554	505	9	2	3	0	1,375	1,242
Wayne	276	218	849	905	49	131	13	12	1,187	1,266
Worth	99	17	1,587	1,573	56	56	22	10	1,764	1,656
TOTAL FY 1981	86,066	74,614	194,896	187,027	75,913	75,385	55,380	49,434	412,255	386,460

1 County Courts.
2 One court serves two counties.
3 Data was unavailable from the State Court of DeKalb County.
4 The State Court of Laurens County was abolished effective 1/1/81.

PROBATE COURTS

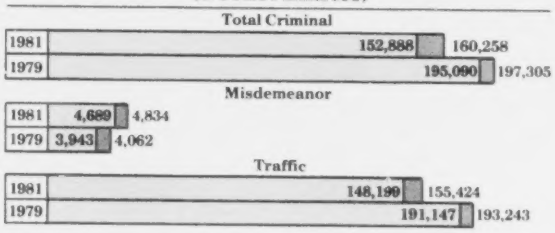
Known as the court of ordinary until 1974 when a constitutional amendment changed its name, the probate court is one of the oldest courts in Georgia. There is a probate court located in each of the state's 159 counties, and it is presided over by a probate judge, who is elected by the voters of each county to a term of four years.

Duties granted to the probate judge include both judicial and ministerial functions. The probate court exercises jurisdiction in the probate of wills, administration of estates, appointment of guardians and involuntary hospitalization of mentally ill and other dependent individuals. Probate judges are also authorized to issue marriage licenses, pistol permits and delayed birth certificates. Other duties may include holding habeas corpus hearings, supervising elections or hearing cases under the Compulsory School Attendance Act.

Probate courts may exercise jurisdiction in certain misdemeanor cases. There are ninety-four probate courts located in counties having no state or county courts which hear traffic cases and try violations of state game and fish laws in accordance with these statutes.

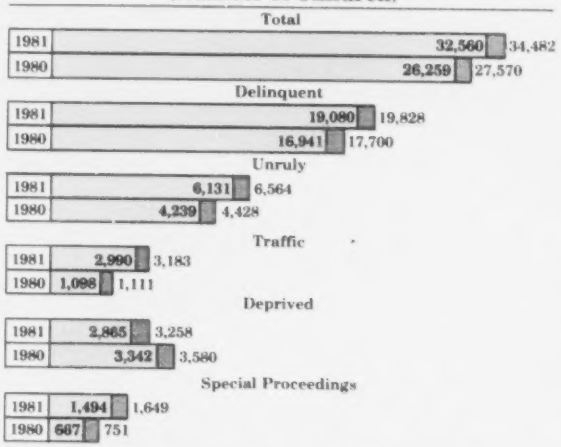
A comparison of total criminal caseload by case type for those probate courts exercising criminal jurisdiction is presented at right for fiscal years 1981 and 1979. The tables on pages 32-35 list the FY 1981 criminal caseload by county and the FY 1981 civil caseload of 107 probate courts for which data was submitted.

TOTAL PROBATE COURT CRIMINAL CASELOAD: FY 1981 AND FY 1979*
(Docket Entries)



*Because another methodology was employed in the collection of FY 1980 caseload data, comparative data is presented for FY 1981 and FY 1979.

TOTAL JUVENILE COURT CASELOAD: FY 1981* AND FY 1980**
(Number of Children)



*Total caseload figures do not include data for Ware and Whitfield counties.

**Caseload data for the following counties is not included: Bibb, Chatham, Douglas, Floyd, Hall, Muscogee, Spalding, Troup.

Key: Cases filed; Cases disposed

JUVENILE COURTS

Georgia law provides for the creation of separate juvenile courts in every county with a population of at least 50,000 (except Richmond County). In those counties having a population of less than 50,000, superior court judges exercise jurisdiction over juvenile cases except in counties where two successive grand juries recommend that a juvenile court be established. In 1980, twenty-two counties had a population of 50,000 or more.

Juvenile court organization and structure varies throughout the state. Separate juvenile courts, or those presided over by a judge appointed to hear juvenile cases only, function in fifty-nine counties. Of the forty-eight judges serving these counties, five serve in a dual capacity, as both the juvenile and the state court judge. Superior court judges or their designated referees hear juvenile matters in the remaining one hundred counties.

Juvenile court judges are appointed for six-year terms by the superior court judges of their respective circuits. In fiscal year 1981, there were eight full-time juvenile court judges, and forty juvenile court judges served part-time. A judge's part-time status permits him or her to practice law in addition to the office's judicial duties.

The juvenile court's exclusive original jurisdiction extends to cases involving delinquent children alleged to have committed a non-capital offense and unruly children under the age of seventeen, deprived children under the age of eighteen and children of age sixteen and under who have committed traffic offenses. In addition, the juvenile court has jurisdiction in custody proceedings referred from the superior court and in cases involving the termination of parental rights and enlistment in the military services and consent to marriage for minors. Appeals from the juvenile court in all cases of final judgment are to the Court of Appeals and the Supreme Court.

Certain responsibility for improvements in the juvenile court system was granted to juvenile court judges themselves in 1971, when the General Assembly created the Council of Juvenile Court Judges. The Council is composed of all judges exercising jurisdiction in juvenile matters. It is authorized to establish general policies for the conduct of juvenile courts and may promulgate uniform rules and forms governing juvenile court procedure.

A separate report on the activities of the Council of Juvenile Court Judges during the past fiscal year is presented on page 53.

Statewide total juvenile court caseload is compared at left for fiscal years 1981 and 1980. Juvenile court filings and dispositions for FY 1981 are presented by county on pages 36-38.

OTHER COURTS

Along with the four major trial courts, there are a number of limited jurisdiction courts which are part of the Georgia judicial system. While some of these courts exercise civil and criminal jurisdiction county-wide, other courts are authorized to hear either civil or criminal cases only.

Justice of the peace courts may exercise civil jurisdiction only in their respective militia districts (and in some cases in other districts), but their criminal jurisdiction extends throughout the county. They are empowered by the Constitution to hear certain civil cases (cases involving contracts or damages to personal property) when the principal claim does not exceed $200, except in those courts for which the jurisdictional limit has been increased. The criminal jurisdiction of justices of the peace authorizes them to issue warrants and hold committal hearings. In addition, they may preside over dispossessory actions, perform marriages, administer oaths, take affidavits, hear claims against trust estates (under $100) and fine for contempt of court.

Established by local legislation, **small claims courts** generally have county-wide jurisdiction in both civil and criminal matters. Although the jurisdiction of these courts is similar to that of the justice of the peace courts, the civil jurisdictional limits are usually higher, and not all small claims court judges are vested with criminal jurisdiction. Some state courts—in Cobb, DeKalb and Fulton counties—have a small claims division presided over by a state court judge.

Several other **special courts** retain civil jurisdiction throughout the county, as well as the criminal jurisdiction of a justice of the peace. Special courts include the Civil Court of Richmond County; the Civil Court of Bibb County; the Municipal Court of Columbus; the Municipal Court of Savannah; and the county courts of Baldwin, Echols and Putnam counties.

While granted the same jurisdiction as the above-listed courts, the magistrate's courts located in Clarke and Rockdale counties have additional criminal jurisdiction to hear county ordinances and certain state law violations. The magistrate's courts of Baldwin and Glynn counties only exercise the criminal jurisdiction of the justice of the peace courts.

Other courts that are authorized to exercise criminal jurisdiction only are the county recorder's courts in Chatham, DeKalb, Muscogee and Gwinnett counties.

At the local level, Georgia has over 400 courts which try local traffic offenses and cases involving violations of municipal ordinances and exercise the criminal jurisdiction of justices of the peace. Such courts serve incorporated municipalities and include city courts, mayor's courts, municipal courts and recorder's courts.

FY 1981 PROBATE COURT CRIMINAL CASELOAD
(Docket Entries)

County	Misdemeanor		Traffic		Total	
	Filed	Disposed	Filed	Disposed	Filed	Disposed
Bacon	73	73	400	400	473	473
Baker	2	2	680	646	682	648
Banks	27	27	1,287	1,373	1,314	1,400
Barrow	24	22	777	776	801	798
Bartow	59	49	3,490	2,903	3,549	2,952
Ben Hill	67	65	598	588	665	653
Berrien	31	31	847	847	878	878
Bleckley	15	15	735	735	750	750
Brantley	21	32	783	847	804	879
Brooks	24	24	1,032	1,032	1,056	1,056
Butts	115	115	2,722	2,528	2,837	2,643
Calhoun	47	47	455	438	502	485
Camden	0	0	3,961	3,513	3,961	3,513
Catoosa	0	0	5,420	5,419	5,420	5,419
Charlton	0	0	785	785	785	785
Chattahoochee	18	18	424	445	442	463
Chattooga	43	44	2,173	2,182	2,216	2,226
Clay	115	107	321	300	436	407
Columbia	174	174	3,961	3,935	4,135	4,109
Cook	0	0	2,496	2,496	2,496	2,496
Crawford	22	22	1,627	1,627	1,649	1,649
Crisp	339	312	3,688	3,483	4,027	3,795
Dade	45	45	1,626	1,659	1,671	1,704
Dawson	82	82	502	502	584	584
Dodge	56	56	664	664	720	720
Dooly	133	127	961	888	1,094	1,015
Douglas	4	4	3,882	3,208	3,886	3,212
Fannin	82	79	557	495	639	574
Fayette	19	38	1,503	1,623	1,522	1,661
Floyd	121	131	4,480	3,901	4,601	4,032
Franklin	123	123	3,347	3,200	3,470	3,323
Gilmer	1	1	526	526	527	527
Glascock	4	4	145	135	149	139
Gordon	66	67	2,530	2,723	2,596	2,790
Greene	55	39	978	916	1,033	955
Hancock	10	20	313	349	323	369
Haralson	3	3	2,449	2,226	2,452	2,229
Harris	78	78	2,136	2,136	2,214	2,214
Hart	113	94	328	346	441	440
Heard	49	45	529	395	578	440
Henry	75	76	7,781	7,823	7,856	7,899
Irwin	1	1	446	446	447	447
Jasper	60	50	736	699	796	749
Jeff Davis	0	0	945	945	945	945
Jones	251	244	1,478	1,470	1,729	1,714
Lamar	15	15	1,679	1,518	1,694	1,533
Lanier	0	0	317	317	317	317
Laurens	0	0	3,336	2,230	3,336	2,230

FY 1981 PROBATE COURT CRIMINAL CASELOAD
(Docket Entries)

County	Misdemeanor Filed	Misdemeanor Disposed	Traffic Filed	Traffic Disposed	Total Filed	Total Disposed
Lee	69	68	675	672	744	740
Lincoln	157	128	376	376	533	504
Lumpkin	60	60	477	476	537	536
Madison	55	55	821	864	876	919
Marion	7	7	1,078	1,105	1,085	1,112
McDuffie	46	52	3,040	3,309	3,086	3,361
McIntosh	0	0	3,217	2,893	3,217	2,893
Meriwether	3	3	2,234	2,455	2,237	2,458
Monroe	145	139	12,966	10,419	13,111	10,558
Montgomery	0	0	462	456	462	456
Morgan	0	0	2,650	2,400	2,650	2,400
Murray	257	248	1,834	1,799	2,091	2,047
Newton	39	48	2,742	2,818	2,781	2,866
Oconee	24	24	1,269	1,118	1,293	1,142
Oglethorpe	74	74	771	749	845	823
Paulding	54	42	1,616	1,526	1,670	1,568
Peach	10	10	1,040	1,040	1,050	1,050
Pickens	0	0	1,273	1,268	1,273	1,268
Pike	12	13	1,484	1,501	1,496	1,514
Pulaski	7	7	469	466	476	473
Quitman	19	13	150	147	169	160
Rabun	46	46	282	282	328	328
Randolph	1	1	861	861	862	862
Rockdale	13	13	6,019	6,077	6,032	6,090
Schley	8	8	95	95	103	103
Seminole	65	65	914	914	979	979
Stewart	95	73	677	526	772	599
Talbot	58	58	1,494	1,494	1,552	1,552
Taliaferro	43	43	555	578	598	621
Taylor	0	0	1,528	1,401	1,528	1,401
Telfair	140	129	860	881	1,000	1,010
Terrell	33	33	661	661	694	694
Towns	24	24	254	254	278	278
Turner	0	0	2,178	1,966	2,178	1,966
Twiggs	137	137	1,013	1,013	1,150	1,150
Union	42	42	434	434	476	476
Upson	52	53	3,429	3,701	3,481	3,754
Walton	47	47	2,419	2,322	2,466	2,369
Warren	43	39	309	301	352	340
Webster	4	4	167	152	171	156
Wheeler	76	75	537	540	613	615
White	7	7	692	692	699	699
Whitfield	0	0	5,139	5,139	5,139	5,139
Wilcox	28	28	450	450	478	478
Wilkes	67	67	715	708	782	775
Wilkinson	105	105	262	262	367	367
TOTAL FY 1981	4,834	4,689	155,424	148,199	160,258	152,888

FY 1981 PROBATE COURT CIVIL CASELOAD
(Docket Entries)

County	Letters of Administration	No Administration Necessary	Common Probate	Solemn Probate	Guardianship	12 Months Support	Inv. Hosp./ Cont. Hosp.	Habeas Corpus	Marriage Licenses	Pistol Licenses
Appling	14	9	1	23	8	4	24	0	192	164
Atkinson	10	5	3	16	7	5	0	0	70	45
Baker	4	6	0	10	3	0	9	0	31	32
Baldwin	21	5	12	65	24	1	268	0	349	421
Banks	2	2	0	30	3	4	7	0	71	67
Barrow	10	29	1	41	6	4	35	0	220	141
Ben Hill	29	8	7	55	13	22	0	0	187	162
Berrien	13	4	2	18	3	7	20	0	114	102
Bibb	NA[1]	58	33	345	61	33	85	0	1,574	1,096
Bleckley	24	1	0	24	2	2	0	0	111	116
Brantley	14	8	3	8	4	6	9	0	117	88
Bryan	10	2	1	10	4	2	11	0	118	132
Bulloch	27	10	1	102	14	1	60	0	323	184
Butts	4	2	3	35	5	4	2	0	78	159
Calhoun	10	5	25	37	1	4	26	0	68	83
Candler	5	6	1	28	17	5	0	0	89	57
Carroll	13	9	5	26	28	43	0	0	794	588
Charlton	10	0	1	12	2	0	0	0	2,575	4
Chatham	144	107	25	512	258	76	83	0	2,011	2,370
Cherokee	21	28	3	115	14	16	10	0	478	699
Clarke	52	23	15	147	74	9	85/7	0	703	394
Clay	0	0	0	20	0	0	0	0	21	24
Clayton	82	31	13	170	78	56	83	0	2,305	1,681
Clinch	4	4	1	11	7	1	0	0	76	33
Cobb	137	75	34	525	292	95	272	1	4,228	2,365
Coffee	24	18	5	59	7	7	0	0	309	213
Coweta	35	22	8	140	33	48	90	1	488	250
Crawford	1	0	3	11	2	0	0	0	0	0
Crisp	17	11	2	33	4	5	6	0	239	171
Dade	11	4	1	14	2	0	0	0	1,957	80
Dawson	0	5	0	11	3	2	4	0	62	71
Decatur	11	2	4	40	7	3	30/3	0	388	250
DeKalb	153	159	198	810	278	149	173	0	5,639	3,043
Dodge	18	8	1	28	5	1	3	0	159	132
Dooly	0	0	0	0	0	0	0	0	0	0
Dougherty	51	24	19	146	51	21	105	0	1,253	827
Douglas	20	25	10	80	28	36	0	0	625	585
Echols	0	3	0	2	1	0	0	0	81	13
Evans	9	1	0	18	4	2	0	0	91	68
Fannin	8	4	1	17	12	4	10	3	142	186
Floyd	39	17	12	173	28	11	150	14	889	508
Fulton	310	320	253	1,242	681	145	19	0	6,730	6,125
Glascock	3	2	1	8	6	1	5	0	17	24
Gordon	7	9	2	65	8	6	33	0	284	119
Grady	16	10	2	38	10	12	24	0	180	31
Gwinnett	0	100	0	218	85	45	45	0	1,819	2,136
Hall	37	22	7	156	36	21	80	0	864	610
Hancock	1	0	2	0	1	0	5	0	49	2
Haralson	32	1	2	37	9	5	49	0	300	285
Harris	9	2	6	31	8	3	0	0	114	153
Hart	23	8	1	66	4	9	0	0	122	97
Henry	16	6	2	75	16	19	3	0	363	346
Jackson	18	14	8	46	10	11	0	0	283	160
Jeff Davis	7	5	1	15	4	1	0	0	139	94
Jenkins[2]	4	1	1	6	4	2	10	0	38	34

FY 1981 PROBATE COURT CIVIL CASELOAD
(Docket Entries)

County	Letters of Administration	No Administration Necessary	Common Probate	Solemn Probate	Guardianship	12 Months Support	Inv. Hosp./ Cont. Hosp.	Habeas Corpus	Marriage Licenses	Pistol Licenses
Johnson	20	2	2	22	7	4	28	0	66	87
Jones	6	3	11	13	27	1	40	0	172	280
Lamar	4	5	1	38	6	7	0	0	88	118
Laurens	30	17	3	79	14	11	15	0	451	314
Lee	4	1	4	9	11	2	7	0	126	150
Lincoln	5	1	0	18	3	1	0	0	37	15
Long	11	1	1	9	6	1	0	0	62	26
Lumpkin	8	4	0	34	7	9	6	0	80	100
Macon	6	2	2	30	2	1	12	2	123	104
Marion	0	0	4	12	0	0	0	0	65	20
McIntosh	7	2	5	10	4	0	4	0	68	112
Miller	10	6	0	36	4	2	9	0	75	100
Monroe	11	6	7	26	5	1	0	0	139	143
Montgomery	15	12	5	15	12	10	12	0	60	60
Morgan	15	9	7	20	9	6	18	0	88	56
Muscogee	86	44	16	330	67	49	69	0	2,322	1,568
Newton	14	18	8	84	29	11	39	0	378	294
Oconee	3	4	3	20	4	3	5/2	0	97	47
Oglethorpe	10	12	0	25	3	8	0	0	71	100
Paulding	24	9	2	40	15	15	19	0	244	227
Peach	13	5	8	43	7	1	40	0	165	63
Pickens	7	5	1	23	3	2	25	0	117	105
Putnam	30	10	1	40	5	3	15	0	99	117
Quitman	6	0	0	8	0	0	4	0	24	25
Rabun	2	3	1	35	7	2	6	0	94	78
Randolph	6	4	2	25	6	1	0	0	74	73
Richmond	99	72	50	290	88	116	562	0	1,608	1,584
Rockdale	15	8	20	51	34	8	0	0	0	0
Schley	3	0	0	8	1	0	5	0	40	4
Screven	8	11	3	28	4	5	0	0	65	77
Seminole	18	12	1	24	10	5	20	0	1,452	50
Spalding	42	23	4	136	35	30	0	3	552	412
Stephens	42	2	4	80	10	7	39	0	196	188
Stewart	9	0	1	20	0	1	8	0	55	71
Sumter	23	2	2	63	6	9	0	0	314	210
Taylor	13	0	1	8	6	1	18	0	57	57
Telfair	3	2	0	25	8	2	0	0	117	133
Terrell	18	3	2	20	6	1	16	0	95	134
Thomas	36	17	14	148	36	14	276	1	514	178
Toombs	23	10	2	43	9	19	0	0	270	232
Towns	7	2	0	13	4	1	0	0	59	66
Treutlen	4	6	2	4	0	2	0	0	52	23
Troup	14	15	13	100	15	13	55	0	570	526
Turner	7	5	1	27	1	1	NA[1]	NA[1]	87	97
Walker	22	20	9	135	61	29	0	0	414	238
Walton	10	16	11	68	12	10	23	0	316	221
Ware	30	23	7	98	23	22	24	1	485	237
Warren	3	4	5	20	4	0	4	0	47	56
Washington	33	4	6	36	16	5	18/5	0	130	121
Webster	10	8	2	21	5	0	15	0	36	33
Whitfield	29	16	5	117	16	10	5	0	614	480
Worth	8	4	3	54	3	8	17	0	167	150

[1]NA=Data was unavailable.

[2]Data covers the period from 1/1/81 through 6/30/81.

FY 1981 JUVENILE COURT CASELOAD
(Number of Children)

County	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Appling	32	32	4	4	0	0	2	2	0	0	38	38
Atkinson	0	0	0	0	0	0	0	0	0	0	0	0
Bacon	13	8	0	0	0	0	6	4	0	0	19	12
Baker	0	0	0	0	0	0	0	0	0	0	0	0
Baldwin	56	59	13	12	0	0	30	29	0	0	99	100
Banks	6	6	0	3	1	1	4	6	0	0	11	16
Barrow	53	54	6	6	0	0	21	19	0	0	80	79
Bartow	329	319	147	151	155	150	5	5	12	13	648	638
Ben Hill	41	28	10	6	0	0	14	9	0	0	65	43
Berrien	0	0	0	0	0	0	0	0	0	0	0	0
Bibb	654	622	50	49	100	63	3	3	134	80	941	817
Bleckley	16	18	7	9	0	0	5	9	0	0	28	36
Brantley	13	13	2	2	0	0	0	0	0	0	15	15
Brooks	6	7	0	0	0	0	2	1	0	0	8	8
Bryan	21	21	4	4	1	1	0	0	5	5	31	31
Bulloch	82	72	20	18	7	7	12	11	0	0	121	108
Burke	13	8	0	0	0	0	1	1	0	0	14	9
Butts	31	30	2	2	0	0	7	7	0	0	40	39
Calhoun	5	3	0	0	0	0	0	0	0	0	5	3
Camden	68	63	12	11	0	0	1	1	1	1	82	76
Candler	6	3	1	0	0	0	6	6	0	0	13	9
Carroll	86	68	5	5	2	2	89	52	0	0	162	127
Catoosa	124	126	16	16	3	3	29	19	0	0	172	164
Charlton	6	5	1	1	0	0	1	0	0	0	8	6
Chatham	1,197	1,126	266	280	173	189	98	89	75	69	1,809	1,753
Chattahoochee	64	61	8	6	0	0	0	0	0	0	72	67
Chattooga	31	40	16	16	30	30	1	1	0	0	78	87
Cherokee	196	81	48	9	24	10	35	16	65	60	368	176
Clarke	250	251	32	33	23	23	0	0	57	58	362	365
Clay	8	8	0	0	0	0	0	0	0	0	8	8
Clayton	744	749	357	384	181	195	45	44	95	102	1,422	1,474
Clinch	0	0	0	0	0	0	0	0	0	0	0	0
Cobb	1,208	1,190	609	597	277	268	98	93	64	60	2,256	2,208
Coffee	56	56	3	3	14	14	2	2	12	12	87	87
Colquitt	95	103	3	7	0	0	21	18	29	31	148	159
Columbia	136	148	45	47	0	0	0	0	5	6	186	201
Cook	70	57	11	10	0	0	2	2	1	1	84	70
Coweta	278	247	34	31	5	4	85	81	32	31	434	394
Crawford	5	2	0	1	0	0	1	0	0	0	6	3
Crisp	109	112	33	32	8	5	0	0	0	0	150	149
Dade	13	6	6	3	1	1	14	3	0	0	34	13
Dawson	13	7	2	0	0	0	0	0	0	0	15	7
Decatur	74	72	4	2	5	3	0	0	1	1	84	78
DeKalb	2,038	1,996	918	768	253	244	400	328	153	121	3,762	3,457
Dodge	27	38	10	10	1	1	0	0	0	0	38	49
Dooly	9	8	4	4	0	0	1	1	0	0	14	13
Dougherty	509	502	30	29	61	64	3	3	9	10	612	608
Douglas	374	357	55	48	93	106	125	116	6	5	653	632
Early	0	0	0	0	0	0	0	0	0	0	0	0
Echols	0	0	0	0	0	0	0	0	0	0	0	0
Effingham	16	15	0	0	0	0	6	4	0	0	22	19
Elbert	33	29	4	3	6	4	19	13	0	0	62	49
Emanuel	44	37	6	15	0	0	20	15	0	15	70	82

FY 1981 JUVENILE COURT CASELOAD
(Number of Children)

County	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Evans	27	27	5	5	0	0	0	0	0	0	32	32
Fannin	27	24	2	1	3	3	21	20	1	5	54	53
Fayette	82	76	3	3	24	25	11	4	6	4	126	112
Floyd	345	323	283	280	257	237	21	22	29	23	935	885
Forsyth	109	57	37	16	22	14	0	0	42	16	210	103
Franklin	17	11	2	2	1	0	3	0	0	0	23	13
Fulton	2,807	2,889	1,144	942	359	315	969	950	134	138	5,413	5,234
Gilmer	56	27	19	7	2	3	2	0	0	0	79	37
Glascock	3	0	0	0	0	0	0	0	0	0	3	0
Glynn	418	424	187	186	49	47	31	32	9	11	694	700
Gordon	95	87	39	39	51	56	4	2	2	2	191	186
Grady	38	30	0	0	0	0	4	3	0	0	42	33
Greene	3	3	0	0	0	0	1	2	0	0	4	5
Gwinnett	707	614	420	437	94	48	116	86	198	157	1,535	1,342
Habersham	12	10	5	0	0	0	4	4	5	4	26	18
Hall	276	295	112	123	70	74	27	28	21	23	506	543
Hancock	0	0	0	0	0	0	0	0	0	0	0	0
Haralson	13	12	3	2	1	1	10	11	0	0	27	26
Harris	44	41	9	9	7	7	0	0	0	0	60	57
Hart	38	34	1	1	0	0	9	4	0	0	48	39
Heard	15	3	4	0	0	0	1	0	0	0	20	3
Henry	30	25	3	2	1	1	20	18	0	0	54	46
Houston	159	144	4	4	0	0	20	22	2	0	185	170
Irwin	6	7	0	0	0	0	1	1	0	0	7	8
Jackson	34	27	2	1	2	1	19	3	0	0	57	32
Jasper	3	3	0	0	0	0	1	0	0	0	4	3
Jeff Davis	30	30	5	5	5	5	14	14	8	8	62	62
Jefferson	30	29	3	5	0	0	2	5	2	0	37	39
Jenkins	8	8	1	1	0	0	2	3	0	0	11	12
Johnson	4	2	1	1	0	0	3	2	0	0	8	5
Jones	3	1	2	1	0	0	6	6	0	0	11	8
Lamar	11	12	0	0	0	0	4	3	0	0	15	15
Lanier	0	0	0	0	0	0	0	0	0	0	0	0
Laurens	150	99	17	9	1	1	63	25	0	0	231	134
Lee	52	55	3	3	3	2	0	0	0	0	58	60
Liberty	142	142	60	57	26	17	2	2	8	8	238	226
Lincoln	8	8	0	0	0	0	0	0	0	0	8	8
Long	22	19	1	1	0	0	0	1	0	0	23	21
Lowndes	64	78	2	1	0	1	12	4	52	52	130	136
Lumpkin	19	18	1	1	1	1	1	1	6	4	28	25
Macon	33	33	6	3	0	0	5	0	4	0	48	60
Madison	29	27	2	1	2	1	14	13	0	0	47	42
Marion	4	4	3	2	3	0	0	0	0	0	10	6
McDuffie	39	40	1	1	18	15	0	1	10	10	68	67
McIntosh	23	18	11	11	2	0	8	5	0	0	44	34
Meriwether	45	48	11	3	9	8	10	6	0	0	75	65
Miller	15	9	0	0	0	0	0	0	0	0	15	9
Mitchell	33	31	1	1	2	2	4	4	0	0	40	38
Monroe	10	11	3	3	0	0	2	4	0	0	15	18
Montgomery	14	5	0	0	0	0	9	9	0	0	23	14
Morgan	11	11	8	18	0	0	10	20	0	0	29	49
Murray	65	70	35	35	31	32	1	1	5	6	137	144
Muscogee	969	977	431	433	268	277	153	155	190	197	2,011	2,039

FY 1981 JUVENILE COURT CASELOAD
(Number of Children)

County	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Newton	141	138	27	20	15	13	101	104	0	2	284	277
Oconee	8	6	2	1	0	0	4	3	0	0	14	10
Oglethorpe	8	6	3	1	0	0	13	4	0	0	24	11
Paulding	55	49	4	2	0	0	1	1	23	19	83	71
Peach	40	39	9	8	0	0	5	6	0	0	54	53
Pickens	42	51	34	74	20	19	23	17	15	18	134	179
Pierce	10	10	0	0	0	0	5	4	0	0	15	14
Pike	6	6	0	0	0	0	7	6	0	0	13	12
Polk	64	73	5	5	10	13	19	14	0	0	98	105
Pulaski	25	25	3	3	3	3	2	2	0	0	33	33
Putnam	23	18	5	5	0	0	3	1	0	0	31	24
Quitman	1	1	0	1	0	0	1	2	0	0	2	4
Rabun	5	4	0	0	1	0	1	0	5	3	12	7
Randolph	15	15	0	0	0	0	0	0	0	0	15	15
Richmond	686	682	237	238	13	13	13	13	6	6	955	952
Rockdale	221	228	67	70	56	59	11	12	13	13	368	382
Schley	10	10	1	1	0	0	4	1	0	0	15	12
Screven	13	11	5	5	0	0	6	6	0	0	24	22
Seminole	24	14	0	0	0	0	0	0	0	0	24	14
Spalding	298	302	99	99	52	48	8	8	5	4	462	461
Stephens	21	13	0	0	0	0	4	3	0	0	25	16
Stewart	28	27	3	3	0	0	0	0	0	0	31	30
Sumter	172	160	22	22	15	14	36	11	0	0	245	207
Talbot	5	8	2	2	0	0	0	0	0	0	7	10
Taliaferro	1	1	0	0	0	0	0	0	0	0	1	1
Tattnall	28	28	18	18	6	2	1	0	0	0	53	48
Taylor	14	10	2	2	0	0	0	0	0	0	16	12
Telfair	14	12	6	4	0	0	0	0	0	0	20	16
Terrell	11	11	0	0	1	1	6	6	0	0	18	18
Thomas	190	124	50	28	20	9	17	16	1	1	278	178
Tift	218	170	52	26	3	2	19	14	0	0	292	212
Toombs	20	19	5	5	2	2	10	10	0	0	37	36
Towns	2	2	0	0	0	0	0	0	0	0	2	2
Treutlen	8	0	2	1	0	0	2	1	0	0	12	2
Troup	272	295	4	2	77	75	5	5	21	18	379	395
Turner	12	16	0	0	0	0	1	1	0	0	13	17
Twiggs	13	12	2	2	0	0	5	1	0	0	20	15
Union	6	6	1	1	0	0	4	4	0	0	11	11
Upson	37	36	6	6	0	0	13	13	0	0	56	55
Walker	144	144	41	42	31	31	16	18	0	0	232	235
Walton	299	287	126	122	118	102	16	7	63	53	622	571
Ware*												
Warren	0	0	0	0	0	0	7	7	0	0	7	7
Washington	63	65	9	6	0	0	3	3	0	0	75	74
Wayne	56	62	11	9	1	0	21	21	2	2	91	84
Webster	1	1	0	0	0	0	0	0	0	0	1	1
Wheeler	7	5	0	0	0	0	1	1	0	0	8	6
White	6	5	2	1	0	0	2	2	5	6	15	14
Whitfield*												
Wilcox	7	5	0	0	0	1	1	1	0	0	8	7
Wilkes	4	3	0	0	1	1	0	0	0	0	5	4
Wilkinson	8	8	3	3	0	0	7	7	0	0	18	18
Worth	31	26	0	0	0	0	0	0	0	0	31	26
TOTAL FY 1981	19,828	19,080	6,564	6,131	3,183	2,990	3,258	2,865	1,649	1,494	34,482	32,560

*Data unavailable.

AGENCIES OF THE JUDICIAL COUNCIL

These agencies have been granted specific functions which are among the general duties of the Judicial Council/AOC.

The Judicial Council of Georgia/Administrative Office of the Courts provided administrative services to eight judicial agencies during fiscal year 1981. Although the extent and type of services performed by the AOC vary among these agencies, at least one function, the provision of fiscal services, was carried out for each of the judicial agencies listed below. Fiscal services included cash disbursement for payroll, payment of expenditures for purchases and travel reimbursement, maintenance of personnel records and provision of quarterly expenditure reports to the agencies.

The eight agencies supported by the AOC include:

- Advisory Council for Probation
- Board of Court Reporting of the Judicial Council
- Council of Juvenile Court Judges
- Georgia Justice Courts Training Council
- Institute of Continuing Judicial Education
- Judicial Administrative Districts
- Judicial Qualifications Commission
- Superior Courts Sentence Review Panel of Georgia

Two of these agencies, the Board of Court Reporting and the Institute of Continuing Judicial Education, have been granted specific functions which are among the general duties of the Judicial Council/AOC. Their activities for fiscal year 1981 are summarized below. The activities of five of the above-listed agencies are reviewed in the following pages of this report. The Advisory Council for Probation has published a separate report of its operations during the past year.

BOARD OF COURT REPORTING

The Georgia General Assembly established the Board of Court Reporting of the Judicial Council in 1974 by enacting the Georgia Court Reporting Act to assist the judiciary in insuring minimum proficiency in the practice of court reporting. The intent of the legislature was to recognize the importance of the profession of court reporting as it relates to the administration of justice and the right of the judicial branch to define and regulate the practice of court reporters as officers of the court.

Seven members comprise the Board of Court Reporting and include four certified court reporters, two representatives from the State Bar of Georgia and one representative from the judiciary, who has historically been a superior court judge. The members serve a term of office of two years, and the Judicial Council appoints new members to fill any vacancies which may occur. Each person is required to have accumulated at least five years' professional experience to qualify for membership. In addition to the seven members, the director of the Administrative Office of the Courts serves as secretary, and the clerk of the Board performs the staff functions.

The Board conducts examinations twice annually as part of a qualifications procedure to certify court reporters in the state. Both freelance and official court reporters are required to achieve certified status or to obtain a temporary permit from the Board or from a judge to practice. The Board administers a "B" and an "A" test at each examination. A reporter must pass the "B" test, which involves dictation, transcription and a written test, to become certified. The "A" test is given by the Board to provide certified reporters an opportunity to upgrade their professional status.

Additional powers and duties of the Board include setting license fees, promulgating rules and regulations concerning the practice of court reporting and revoking or suspending a certificate upon a verified complaint. Certificate revocations and suspensions may be issued to a court reporter for unprofessional conduct or other cause after notice of and an opportunity for a hearing. Any disciplinary action by the Board may be appealed to the Judicial Council, which has the authority to review the Board's determination.

In fiscal year 1981, the Board administered certification examinations to 155 applicants. During the five days of testing (September 25-27, 1980, and March 27-28, 1981) eighty-three reporters passed the "B" test, and six reporters passed the "A" test. One reporter became certified in a method other than the one in which she was originally certified. A total of 563 certified court reporters were authorized to practice in the state as of June 30, 1981.

The Board suspended forty-six certificates for non-renewal on April 1, the date by which reporters must renew their certificates by the payment of a fee ($25) established by the Board. Two of these persons regained their certified status by paying delinquent fees.

Eighteen temporary permits were revoked by the Board during the year either for non-attendance at a certification test or for lack of sponsorship by a certified court reporter. Rules of the Board permit a sponsor to withdraw, thereby requiring the permit holder to find a new sponsor within ten days. The Board revokes the permit after the ten-day period.

Hearings were held to dispose of two formal complaints filed during the fiscal year. One hearing resulted in the Board taking no action. The other hearing concluded with the permanent revocation of a certificate.

In other action, the Board made three changes to its rules and regulations and recommended a procedure to be followed to ensure compensation of certain takedown fees. The rules were altered to provide the following:

- Stenomask reporters will be tested individually by a certified stenomask reporter for quietness and must be completely inaudible at a distance of five feet.
- Temporary judicial permit numbers and identification cards for judicial permits are only issued by the Board of Court Reporting upon the request of a judge.
- The $25 temporary judicial permit fee will be applied toward the cost of certification if the reporter passes the certification test while on a judicial permit.

The Board recommended two alternatives to ensure compensation of civil takedown fees in order to standardize the fees allowed by the fee schedule for official court reporters. The alternatives were that a stipulation be entered in the pre-trial order setting forth the terms under which the case will be reported, and the attorneys (not the parties) will be responsible for compensating the reporter, or, that a stipulation will be put in the record in the event a pre-trial order is not used.

During the year, the Board completed a thirty-one page revision to the *Certified Court Reporter's Handbook* and distributed it to all certified court reporters. A second printing of the revised handbook was also published to replenish the stock on hand.

The Board continued to operate its referral service for reporters looking for positions in the court system or in the freelance area. Names were supplied to six freelance agencies in answer to requests for qualified reporters.

Georgia Certified Court Reporters Association

Created by rule of the Board of Court Reporting, the Georgia Certified Court Reporters Association consists of all certified court reporters in the state. The association is charged with providing a forum for the exchange of ideas and with planning and implementing at least one educational seminar per year for its members. The association elects officers once a year to work with the Institute of Continuing Judicial Education in conducting the seminars. The Board of Court Reporting provides administrative and staff assistance to the association for the education and training of its members. During the year, GCCRA sponsored one seminar which was held in Atlanta in May, 1981.

BOARD OF COURT REPORTING

J. Dan Black
Chairman
Court Reporter
Morrow

Frank W. Seiler
Vice chairman
Attorney
Savannah

Robert L. Doss, Jr.
Secretary
Director, Administrative Office of the Courts
Atlanta

Billy J. Bowden
Court Reporter
Americus

Judge W.G. Elliott
Superior Courts
Southern Judicial Circuit
Valdosta

Kirk M. McAlpin
Attorney
Atlanta

Pat Moran
Court Reporter
Atlanta

Janet G. Wilkinson
Court Reporter
Eatonton

Leslie E. Johnson
Clerk
Atlanta

Georgia Certified Court Reporters Association

Peggy Warren*
Chairman
Ellenwood

Stanley Brown*
Vice chairman
Gainesville

Rose Thomas
Secretary-Treasurer
Warner Robins

Lounell B. Day
Member at large
Tifton

Elaine Farr
Member at large
Griffin

Vivian G. Trabue
Member at large
Douglasville

*Mr. Brown became chairman upon Ms. Warren's resignation in May, 1981.

INSTITUTE OF CONTINUING JUDICIAL EDUCATION OF GEORGIA

Historically acknowledged as an effective tool for improving the administration of justice, the continuing judicial education program in Georgia has developed into a formal organization providing training for most of the state's judicial and court personnel. The Institute of Continuing Judicial Education, in the past year, coordinated professional development seminars for six specific groups of judges and six types of non-judicial personnel, along with sponsoring a convocation of the state's judiciary.

The Institute was initially created as the Judicial College of Georgia by resolution of the Judicial Council of Georgia in January, 1977, to officially recognize the need for a structured program of educational development within the state for all judges. In 1976, the Judicial Council had employed a staff education officer, located at the Administrative Office of the Courts, to administer federal funds awarded for judicial education and to help coordinate in-state judicial conferences and out-of-state training requests. With the creation of the Judicial College and the establishment of a Board of Trustees as the governing body to prescribe minimum requirements for training, the Council had provided the mechanism which would determine educational standards for judicial branch personnel.

During 1978 the College changed its name to the Institute of Continuing Judicial Education, and an executive director was employed to serve as the staff of the Board of Trustees. A gradual transfer of educational responsibilities from the AOC to the Institute was executed over the next couple years. On January 26, 1979, upon petition of the Judicial Council, the Supreme Court ordered the Institute to become an administrative arm of the Court and prescribed new by-laws for the Board which became effective July 1, 1979. At the start of fiscal year 1981, the Institute assumed total responsibility for coordinating the training programs of all judicial branch personnel, and the AOC trimmed its operations to provide only communications and administrative assistance to the Institute.

The thirteen members of the Institute's Board of Trustees represent client groups of courts and judicial organizations in the state. The representatives (members) include: one member of the Court of Appeals; two members of the Council of Superior Court Judges; one member each of the Association of State Court Judges, the Council of Juvenile Court Judges, the Probate Court Judges Association, the State Bar of Georgia and the Judicial Council of Georgia; and five ex officio members, including the immediate past chairman of the Institute's Board of Trustees, the immediate past chairman of the Board of Trustees of the Institute of Continuing Legal Education, and the deans of the law schools of Emory University, Mercer University and the University of Georgia. Membership for fiscal year 1981 included only twelve members, as the by-laws provide that the immediate past chairman of the Institute's Board of Trustees shall serve unless not otherwise a member. Since the immediate past chairman also served as the representative of the Court of Appeals, the ex officio position was vacant for the year.

The Institute is located in Athens at the University of Georgia School of Law. The law school provides the office facilities for the staff, which includes an executive director, conference coordinator, administrative secretary (who also serves as the justice of the peace training coordinator), secretary and student assistant.

During fiscal year 1981, the Institute conducted twenty-three programs of continuing education and development for 2,144 judicial branch personnel. In planning its seminars, the Institute cooperated with several agencies, including the AOC, the Council of Superior Court Judges, the Council of Juvenile Court Judges, the Georgia Justice Courts Training Council, the State Trial Judges and Solicitors Association, the Probate Court Judges Association, the Superior Court Clerks Association, the Georgia Association of Independent Juvenile Courts and the Georgia Certified Court Reporters Association. For almost all of the programs, the Institute (through the AOC fiscal department) reimbursed the expenses of those persons attending the seminars, subject to state travel regulations.

The Institute sponsored fifty-three persons attending out-of-state training programs held by nationally recognized judicial education agencies. Most of the out-of-state training was approved for attendance at the National Judicial College in Reno, Nevada, and the Institute for Court Management, which conducted seminars at various locations around the United States. Institute funds were used to support the training of ten superior court judges, nine juvenile court judges, five state court judges, thirteen probate court judges, three court administrators, four clerks of court and nine additional court support personnel.

Under the terms of a contract with the Georgia Justice Courts Training Council, the Institute, for the first time, conducted the justice of the peace certification programs required by Ga. Code Ann. §24-16A. Coordinated by the AOC in the two previous fiscal years, the justice of the peace training added over 400 persons to the Institute's list of attendees during fiscal year 1981.

The Institute's most significant accomplishment of the year was securing full state funding for fiscal year 1982. In prior years, the majority of the Institute's funds were furnished by federal grants awarded to the Judicial Council through the State Crime Commission. Due to the elimination of future grants for judicial education, the legislature was requested to fund the Institute for fiscal year 1982. The General Assembly responded by appropriating $202,280 for the continued operation of judicial education programs in Georgia. The shift to state funding provided a secure foundation for enhanced programs of professional growth for the judiciary, their staff and court support personnel.

INSTITUTE OF CONTINUING JUDICIAL EDUCATION BOARD OF TRUSTEES

Judge A.W. Birdsong, Jr.
Chairman
Court of Appeals
Atlanta

Dean J. Ralph Beaird
Vice chairman
University of Georgia School of Law
Athens

Judge Willis B. Hunt, Jr.
Secretary-Treasurer
Superior Court
Houston Judicial Circuit
Perry

A.G. Cleveland, Jr.
Attorney
Atlanta

Charles H. Hyatt
Immediate Past Chairman
Institute of Continuing Legal Education
Decatur

Dean Bruce R. Jacob
Mercer University School of Law
Macon

Judge C. Cloud Morgan
Superior Courts
Macon Judicial Circuit
Macon

Dean Thomas Morgan
Emory University School of Law
Atlanta

Judge Marion T. Pope, Jr.
Superior Courts
Blue Ridge Judicial Circuit
Canton

Judge Floyd E. Propst
Probate Court of Fulton County
Atlanta

Judge Rex R. Ruff
Juvenile Court of Cobb County
Marietta

Judge Jack Short
State Court of Colquitt County
Moultrie

Jerome Braun
Executive director
Athens

SEMINARS SPONSORED BY THE INSTITUTE OF CONTINUING JUDICIAL EDUCATION

July 1, 1980—June 30, 1981

Seminar	Location	Date	Attendees
Summer Seminar for Superior Court Judges	Savannah	July 27-30, 1980	72
Revision of Article VI	Atlanta	September 12, 1980	140
Fall Seminar for Professional Staff of Juvenile Court Probation Departments	Savannah	September 17-19, 1980	95
Fall Seminar for Georgia Probate Court Judges	Athens	October 15-19, 1980	88
Justice of the Peace Annual 20-Hour Recertification Program	Athens	October 20-22, 1980	59
19th Annual Workshop for Georgia Juvenile Court Judges	Jekyll Island	October 23-25, 1980	28
18th Annual Seminar for Georgia Trial Judges	Athens	October 29-31, 1980	78
Fall Seminar for Clerks of Superior Court	Macon	November 11-13, 1980	98
New Probate Judges Orientation	Athens	January 7-9, 1981	40
Justice of the Peace Annual 20-Hour Recertification Program	Athens	January 12-14, 1981	99
Third Convocation of the Georgia Judiciary	Athens	January 26-27, 1981	279
Traffic Court Judges' Training	Atlanta	February 19-20, 1981	98
Justice of the Peace Annual 20-Hour Recertification Program	Athens	March 9-11, 1981	149
Annual Seminar for State Court Judges and Solicitors	Atlanta	March 18-20, 1981	47
Annual Orientation for New Judges	Atlanta	March 26-27, 1981	15
18th Institute for Clerks of Superior Court	Athens	March 30-April 1, 1981	161
25th Institute for Georgia Probate Court Judges	Athens	April 22-24, 1981	111
Annual Seminar for Court Administrators	Clayton	April 30-May 1, 1981	24
Spring Seminar for Professional Staff of Independent Juvenile Probation Departments	Gainesville	May 6-8, 1981	86
Justice of the Peace Annual 40-Hour Certification Program	Athens	May 11-15, 1981	167
Annual Workshop for Georgia Juvenile Court Judges	Big Canoe	May 13-15, 1981	45
Annual Spring Seminar for Georgia Certified Court Reporters	Atlanta	May 30, 1981	117
Annual Seminar for Secretaries of Superior Court Judges	Atlanta	June 26-27, 1981	48

RELATED JUDICIAL AGENCIES

Other judicial agencies are charged with specific responsibility to provide services to and assist in the improvement of the Georgia court system.

Six other judicial agencies—the Georgia Indigent Defense Council, the Judicial Administrative Districts, the Judicial Nominating Commission, the Judicial Qualifications Commission, the Prosecuting Attorneys' Council and the Superior Courts Sentence Review Panel—are charged with specific responsibilities to provide services to and assist in the improvement of the Georgia court system. The Judicial Council/Administrative Office of the Courts provides fiscal and budgetary services to three of these agencies (Judicial Administrative Districts, Judicial Qualifications Commission, Sentence Review Panel). The 1981 activities of all four agencies are reported in the following pages.

GEORGIA INDIGENT DEFENSE COUNCIL

Established as a separate agency within the state's judicial branch in 1979, the Georgia Indigent Defense Council was created to implement state policy regarding constitutional guarantees of the right to counsel and equal access to the courts by all citizens in criminal cases. Objectives listed in *The Georgia Indigent Defense Act* include the provision of adequate defense services, adequate compensation for counsel, independence of counsel, reasonably early entry into indigent cases by counsel and state funding of the indigent defense system.

Composed of thirteen persons appointed by the Supreme Court, the Council has as its members ten attorneys—one selected from each of the ten judicial administrative districts—and three nonlawyers selected from the state at large. The members hold four-year terms and meet at least quarterly. The members receive no compensation for their duties, but are reimbursed for actual expenses incurred while attending meetings.

The duties of the Georgia Indigent Defense Council include the following:

1) to administer funds provided by the state and federal government to support local indigent defense programs established under the Act;
2) to recommend uniform guidelines consistent with the provisions of the Act within which local indigent defense programs operate;
3) to provide to local programs and attorneys who represent indigents technical and research assistance, planning assistance, clinical and training programs and other administrative services; and
4) to prepare budgets, reports and management information required for the responsible implementation of the Act.

The 1979 act also authorized local tripartite governing committees representing the superior court judges, the county governing authorities and the local bar associations to propose plans for the establishment of state-funded local indigent defense programs, and following approval of the plans, to implement and manage the programs within the guidelines adopted by the Supreme Court. The guidelines, approved April 22, 1980, dealt with the availability of counsel and income eligibility, the structure of local programs, competent and effective counsel and the financing, fiscal management and caseload control in local programs.

Even though the Indigent Defense Act itself provided for the repeal of the act and the abolishment of the

Council within four years of the effective date (March 9, 1979), the Council's staff began phasing out the state's indigent defense program during fiscal year 1981 due to the lack of state appropriations for fiscal year 1982. Of the $343,805 appropriated for fiscal year 1981 activities, the Council distributed $302,829 to nineteen counties (listed below) that participated in the indigent defense program.

County	Contract
Ben Hill	$10,535
Chatham	68,034
Cobb	24,513
Dougherty	46,104
Elbert	7,083
Glynn	7,393
Houston	6,408
Jefferson	13,583
Laurens	16,943
Liberty	12,251
Screven	4,910
Seminole	1,017
Spalding	7,325
Telfair	10,535
Tift	41,300
Troup	8,325
Walton	4,400
Ware	6,520
Whitfield	5,651
TOTAL	**$302,829**

GEORGIA INDIGENT DEFENSE COUNCIL

Milton A. Carlton
Chairman
Attorney
Swainsboro

Cubbedge Snow, Jr.
Vice chairman
Attorney
Macon

Mrs. Thomas (Emily) Amburgey
Savannah

Dr. Robert H. Brisbane
Atlanta

Charles Daley
Columbus

Judge William W. Daniel
Superior Court
Atlanta Judicial Circuit
Atlanta

Thomas E. Dennard, Jr.
Attorney
Brunswick

Harvey J. Kennedy, Jr.
Attorney
Barnesville

Robert E. Knox
Attorney
Thomson

A. Sidney Parker
Attorney
Marietta

Evans J. Plowden, Jr.
Attorney
Albany

Thomas Andrew Roach
Attorney
Canton

Robert H. Walling
Attorney
Atlanta

JUDICIAL ADMINISTRATIVE DISTRICTS

Created through the Judicial Administration Act of 1976, Georgia's ten judicial administrative districts provide services to courts on the district, circuit and local levels. The district system addresses the special needs of the courts on an individual and regional basis. Such an approach yields advantages not always experienced through the application of court administrative techniques and practices on the trial court or statewide level.

The 1976 act established the judicial administrative districts according to the state's ten U.S. Congressional Districts (to the extent possible), although judicial circuit boundaries were not altered. In addition, district councils, composed of all superior court judges within the district and headed by a district administrative judge, were created to consider administrative problems, promulgate rules, collect information on the courts and authorize the special assignment of superior court judges within each district.

The act provided for full-time administrative assistants to assist the administrative judges and perform court administrative services to the district councils, and it specified that they would be compensated out of funds appropriated for Georgia's judicial branch of government. The Law Enforcement Assistance Administration provided funds for district operations during the first two years. Judicial appropriations authorized by the General Assembly in 1978 provided for full state funding of the districts effective October 1, 1978.

State funds available for the operation of the districts at the start of fiscal year 1981 totalled $420,366. In 1981, as in past years, the appropriation was provided for nine districts, since the administrative assistant position had not been filled in the fourth judicial district.

FISCAL YEAR 1981 ACTIVITIES

During the year, the administrative assistants continued to work under the direction of their administrative judges to improve court operations in their respective districts. Their efforts were concentrated in several areas—providing technical assistance in developing automated jury systems, processing proposals and budgets for indigent defense programs, assisting in the management of court support functions and conducting special projects. The district administrative assistants also worked to improve court facilities, develop budget systems and collect caseload statistics in cooperation with the Administrative Office of the Courts.

Jury System Improvements

Developing more efficient means of jury selection and guaranteeing the effective use of jurors frequently generates jury trial cost reductions for counties. By examining the jury management practices in counties within their districts, the administrative assistants were able to suggest and realize improvements in numerous jury systems.

Technical assistance was provided for computerizing the Spalding County jury box and for computerizing the jury selection process in Douglas County. Technical

assistance was provided for installing an automated jury system, and work continued to double the number of names in the jury pool for Lowndes County. Efforts were started to contract with the South Georgia and Southwest Georgia Area Planning and Development Commissions to extend the computer service utilized in Lowndes County to the jury system in Thomas County.

The judges of the superior court in the fifth district agreed to implement a one day/one trial jury system in early 1982. When operational, the system will work such that a juror summoned for jury duty will serve either one day or one trial. Work by the superior court administrator with the assistance of the district administrative assistant progressed toward implementing the system, including selection of audiovisual equipment to be used in the juror orientation process and remodeling of the juror waiting room to facilitate the check-in procedure.

Technical assistance was provided to operate computerized jury systems in Hall, Lumpkin, White, Dawson, Stephens, Habersham and Rabun counties. A computer-generated jury selection system was implemented and began operation in Forsyth County.

Administrative assistants provided a cost study on jury automation for Gilmer County and initiated a jury computerization project in Glynn County. A feasibility study was conducted to consider the possibility of computerizing the jury selection process for the Alcovy Judicial Circuit.

The district administrative assistants aided in jury list revisions in many counties throughout the state. During the year, assistance was provided in fifteen counties of the second district, in five counties of the ninth district, in three counties of the sixth district and in one county of the first and eighth districts.

Answerphones were installed in Tift and Lowndes counties to facilitate jurors' responses to summons for jury duty. The first district office developed and printed juror appreciation certificates for distribution in six counties.

Indigent Defense

Indigent defense programs, previously instituted with funds made available from the Law Enforcement Assistance Administration and threatened as a result of federal cutbacks and lack of state funding, were evaluated during the year in light of alternative funding sources.

Indigent defense programs were converted to local funding in the Houston, Southwestern and Macon judicial circuits of the third district, and the administrative assistant prepared periodic and final grant evaluations of the programs for two of these circuits. District-wide surveys of indigent defense costs, practices and procedures were conducted by the administrative assistants in the third, seventh and eighth districts.

Proposals for indigent defense programs in the Augusta, Northern and Piedmont judicial circuits were prepared by the tenth district administrative assistant. The proposals included cost-sharing alternatives, guidelines for operations and agreements for local assumption of costs in the counties comprising these circuits.

Proposals and evaluations were processed to continue with federal funding of indigent defense programs in the Blue Ridge, Conasauga, Coweta and Flint judicial circuits and in Coffee and Spalding counties. Proposals were also initiated to convert these programs to local funding.

The first district office assisted in the preparation of the indigent defense budget for the Atlantic, Brunswick and Ogeechee judicial circuits. The office also assisted in obtaining $24,000 in reverted federal funds for use in all five circuits of the district.

The administrative assistants worked as part of local tripartite governing committees, which were authorized by the 1979 General Assembly to establish state-funded local indigent defense programs. The ninth district administrative assistant worked as part of the tripartite committee for the Blue Ridge Judicial Circuit and assisted in setting up tripartite committees in the Northeastern and Conasauga judicial circuits. The administrative assistant also operated an indigent defense services project for the Blue Ridge Judicial Circuit. The third district office was active in the Macon Judicial Circuit's tripartite committee, and the eighth district administrative assistant worked with the tripartite committees of the Cordele, Middle, Ocmulgee and Oconee judicial circuits. In the sixth district, the administrative assistant worked as part of the tripartite committee for the Flint Judicial Circuit.

Court Operations/Court Support Functions

District personnel were active in developing procedures and schedules to make the courts operate more efficiently. The second district administrative assistant assisted in developing an annual calendaring schedule for the Alapaha Judicial Circuit, and the first district office helped to prepare and disseminate the annual court calendar for the Atlantic Judicial Circuit. The ninth district administrative assistant took part in the development of calendar assignments in the Blue Ridge Judicial Circuit.

An individual case assignment system was designed and installed for the Northern Judicial Circuit by the tenth district office. The project included designing schedules for judges, meeting and explaining the system to superior court clerks for implementation, preparing press releases for distribution to the media and holding meetings with court personnel to insure a smooth transition to the system. Also in the tenth district, a case assignment proposal was prepared and court rules were submitted for consideration in the Toombs Judicial Circuit.

In the third district, studies were conducted to consider the reorganization of the principal municipal court of one circuit and to determine the need for a state court in one county. A feasibility study was conducted to investigate the establishment of a magistrate's court in two of the counties in that district.

A committee of judges worked to continue writing fifth district court rules covering topics such as court holidays, court work hours, bail bonds, conflicting court appearances and other matters of concern. Also in the fifth district, a committee of judges was established to monitor Fulton County's jail population, and a legal research computer terminal was installed by the superior court administrator in the courthouse library. A pilot probation project was begun during the year by the chief judge of the superior court to provide sentencing judges with information regarding defendants and for the purpose of improving individuals' characters prior to sentencing.

In the ninth district, the district administrative as-

sistant developed and implemented procedures for the Small Claims Court of Gilmer County which was created by the 1981 Georgia General Assembly.

District personnel were also involved in managing various court support functions to ensure overall efficiency in the courts. General supervision and assistance were provided by the ninth district office for the pre-trial release project in the Blue Ridge Judicial Circuit. The first district administrative assistant conducted a comprehensive pre-trial release study for Chatham County, and the third district administrative assistant continued work toward the establishment of a pre-trial release program.

County-funded positions were secured in the Macon Judicial Circuit to assist in an effort to reduce the transcript backlog in that circuit. Efforts were also continued in that circuit to establish a computer-aided transcription system for Bibb County by fiscal year 1984. In addition, the third district office developed a model contract for supplementary contracted court reporting services. The eighth district administrative assistant maintained a district-wide court reporter pool, assigning 16 persons to varying tasks throughout the year.

The Fulton County superior court computer-aided transcription operation was further expanded during the past year. The program, which has been operated for several years by the superior court administrator, was extended to include seven court reporters and two full-time editors who use a computer with two terminal screens to edit and produce official transcripts.

The ninth district office established transcript order forms and provided court reporter scheduling for the Blue Ridge Judicial Circuit. Also, a staffing comparison of 17 superior court clerks' offices was developed in the ninth district.

The first district office assisted in the administration and evaluation of law clerk grants in the superior courts of Chatham, Glynn, Tattnall, Bryan and Ware counties and in the State Court of Chatham County.

In the sixth district, the administrative assistant processed paperwork to continue the law clerk and investigator positions in the Flint Judicial Circuit and the juvenile intake worker position in Henry County.

Periodic and final grant evaluations were prepared by the third district administrative assistant for all LEAA funded law clerk and court-related positions. Local funding was secured for the continuation of all personnel funded through these grants. Juvenile court grant applications were prepared for the Chattahoochee, Southwestern and Macon judicial circuits. The first district office assisted in the administration and evaluation of assistant district attorney and investigator grants in Effingham and Liberty counties and prepared a grant request for the juvenile intake office in Glynn County. The second district office aided the district attorney of the Southern Judicial Circuit and the transition law clerk to the assistant district attorney.

In the area of court records, the ninth district completed a requirement analysis for automating the child support receiver's office in the Gwinnett Judicial Circuit. Technical assistance for records systems was provided to Cherokee, Gilmer, Lumpkin and White counties.

In cooperation with the Administrative Office of the Courts, district personnel assisted in installing model traffic docket books in the probate courts throughout the state. In addition, the first district office helped to implement model criminal and civil docket books in Evans County and assisted in the preparation and administration of a microfilm equipment grant for the clerk of superior court and probate court judge in Wayne County. The tenth district office assisted the superior court clerk of Richmond County in implementing the model docket system.

The administrative assistant in the second district developed a reference guide for superior court clerks to be used with the records retention schedules developed by the Administrative Office of the Courts.

Georgia Judicial Administrative Districts

Facilities/Equipment

In the area of facilities and equipment, meetings were held in the Alcovy Judicial Circuit between the Newton County Commission, circuit judges and architectural consultants for the renovation of the Newton County judicial offices and courtrooms through the assistance of the tenth district administrative assistant. The second district office assisted with courtroom planning and design in Berrien County, including the arrangement of

court reporter microphones and recording equipment.

The ninth district office assisted with courtroom planning and renovation projects in Cherokee, Gwinnett and Whitfield counties and designed and assisted in the procurement of a modular courtroom for Cherokee County. The office also developed an inventory of court equipment for the Blue Ridge Judicial Circuit and provided technical assistance on equipment analysis to Floyd, Gwinnett and White counties. The sixth district office assisted the Probate Court of Heard County in obtaining surplus equipment for use in its offices.

The eighth district administrative assistant helped in the planning and design of additional courtroom space in Candler, Jefferson, Toombs and Washington counties by serving as liaison between the courts and the respective county commissions.

A courthouse renovation project was completed in the Chattahoochee Judicial Circuit and another major renovation project was initiated in the Houston Judicial Circuit. Work continued on the renovation of court facilities in the Macon Judicial Circuit in accordance with the long-range space allocation plan developed with the assistance of the administrative assistant in fiscal year 1978.

Special Projects

Many of the activities in which the districts are involved are not planned work projects, but arise because of unique requests or circumstances which have occurred during the year.

Local meetings of court personnel were conducted in different areas of the state to facilitate communication and the exchange of ideas. In the second district, quarterly clerks' meetings were held, and in the Flint Judicial Circuit of the sixth district, county commissioners and judicial personnel held regular meetings on a quarterly basis.

In the ninth district, the administrative assistant completed three studies at the request of legislators from the area and conducted a study of voter registration offices and records in Dawson, Hall, Lumpkin and White counties.

The sixth district office assisted with physical and administrative work required as a result of the destruction of the Spalding County courthouse caused by fire in January of 1981. Also in the sixth district, 1980 census data was provided to all district judges and clerks with instructions on its application to jury box revision.

DISTRICT PERSONNEL

DISTRICT ONE: Atlantic, Brunswick, Eastern, Ogeechee and Waycross judicial circuits (twenty-two counties)
Headquarters: Savannah
Administrative Judge: Senior Judge Dunbar Harrison
District Administrative Assistant: Michael S. deVegter

DISTRICT TWO: Alapaha, Dougherty, Pataula, South Georgia, Southern and Tifton judicial circuits (twenty-seven counties)
Headquarters: Valdosta
Administrative Judge: Judge Asa D. Kelley, Jr.
District Administrative Assistant: Roger E. Douglas

DISTRICT THREE: Chattahoochee, Houston, Macon and Southwestern judicial circuits (sixteen counties)
Headquarters: Macon
Administrative Judge: Senior Judge Hal Bell
District Administrative Assistant: David L. Ratley

DISTRICT FOUR: Stone Mountain Judicial Circuit (two counties)
Headquarters: Decatur
Administrative Judge: Judge Richard Bell[1]
District Administrative Assistant: (position vacant)

DISTRICT FIVE: Atlanta Judicial Circuit (one county)
Headquarters: Atlanta
Administrative Judge: Judge Luther Alverson
District Administrative Assistant: Ronald E. Owens

DISTRICT SIX: Clayton, Coweta, Flint and Griffin judicial circuits (fourteen counties)
Headquarters: Griffin
Administrative Judge: Judge Andrew J. Whalen, Jr.
District Administrative Assistant: Fred Roney

DISTRICT SEVEN: Cherokee, Cobb, Lookout Mountain, Rome and Tallapoosa judicial circuits (twelve counties)
Headquarters: Cartersville
Administrative Judge: Judge W.A. Foster, Jr.[2]
District Administrative Assistant: Gerard P. Verzaal[3]

DISTRICT EIGHT: Cordele, Dublin, Middle, Ocmulgee and Oconee judicial circuits (seventeen counties)
Headquarters: Lyons
Administrative Judge: Judge Walter C. McMillan, Jr.
District Administrative Assistant: Jack L. Bean

DISTRICT NINE: Blue Ridge, Conasauga, Gwinnett, Mountain and Northeastern judicial circuits (seventeen counties)
Headquarters: Canton
Administrative Judge: Judge Homer M. Stark
District Administrative Assistant: John T. Shope

DISTRICT TEN: Alcovy, Augusta, Northern, Piedmont, Toombs and Western judicial circuits (twenty-one counties)
Headquarters: Augusta
Administrative Judge: Judge William M. Fleming, Jr.
District Administrative Assistant: L. Tom Gunnels

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[1]Judge Richard Bell replaced Judge Curtis V. Tillman in May, 1981.
[2]Judge Robert L. Royal replaced Judge Foster in July, 1981.
[3]William Martin replaced Mr. Verzaal in July, 1981.

The administrative assistant in the tenth district prepared a proposal for the local assumption of costs for the Northern Judicial Circuit's warrant tracking system and subsequently modified the operation of the system to allow continuation at the reduced funding level. Assistance was also provided to the state's Department of Administrative Services in compiling salary information for court personnel.

The first district office monitored and distributed pending and newly introduced legislation during and following the 1981 legislative session. In addition, assistance was provided to the Institute of Government of the University of Georgia in regard to a comprehensive study of the Chatham County court system.

Other Areas

In the area of budgeting and finance, court support personnel were assisted in fiscal matters, and circuit-wide budgets were prepared. The ninth district administrative assistant worked with the personnel in the superior court of the Northeastern Judicial Circuit and the superior court clerks in Cherokee and White counties to develop their budgets and operated as a fiscal officer for the superior and juvenile courts in the Blue Ridge Judicial Circuit. The eighth district administrative assistant continued to administer the budgets of the Cordele, Middle and Oconee judicial circuits.

The first district office assisted in establishing circuit budgets in the Atlantic and Ogeechee judicial circuits, and a circuit-wide budget system was considered for the Northern Judicial Circuit in the tenth district.

The districts continued to provide public and system information concerning the courts of Georgia. Information was also provided to judicial personnel as the districts served a clearinghouse/dissemination function with regard to legislation, case decisions and Attorney General's Opinions affecting the judiciary. In addition, the district offices issued press releases on judicial events throughout the state and presented judicial information speeches to civic organizations which included "Government Day" activities at Georgia Southern College in Statesboro.

One of the functions of the administrative assistants is to coordinate the special assignment of judges in their districts. In the tenth district, arrangements were made for the assignment of visiting judges by the administrative judge on 36 occasions for proceedings in the presiding judge's absence, disqualification or recusal. The ninth district office assisted the administrative judge in locating and coordinating judges for 37 special assignments within the district. In the eighth district, 48 assignments were made from the judges' pool. District court rules on recusals were drafted and adopted in the first, eighth and ninth districts.

In the area of caseload management, the third district administrative assistant prepared lists of backlogged criminal and civil cases in selected counties of the Chattahoochee and Macon judicial circuits. Lists of backlogged and open cases were compiled for the superior, state and juvenile courts of the ninth district, and a listing of open criminal cases was compiled for the Western Judicial Circuit of the tenth district to be used for disposition of these cases. Hearing days were scheduled in Spalding and Fayette counties to dispose of large numbers of civil cases backlogged in these counties. The second district office assisted the Administrative Office of the Courts in a three-month case/time sequence study in the Tifton and Southern judicial circuits.

In the area of caseload statistics, the districts participated in the annual caseload study conducted by the Administrative Office of the Courts. Caseload statistics were collected in all districts for the purpose of providing the legislature with information to use in considering the establishment of additional superior court judgeships throughout the state. In addition, statistical data was collected through a special study conducted in the third district in relation to the establishment of new superior court judgeships in the Southwestern and Macon judicial circuits.

Information on the FY 1981 activities of the Judicial Administrative Districts was provided by the respective administrative assistants.

JUDICIAL NOMINATING COMMISSION

Created by executive order of former Governor Jimmy Carter in June, 1973, the Judicial Nominating Commission was established to assist the governor of Georgia with his duty to appoint well-qualified persons to fill judicial vacancies arising during his term. The order formalized a belief that persons appointed to serve on the bench should be selected through a process which demonstrates their qualifications and abilities. With the creation of the Judicial Nominating Commission, Governor Carter issued an order to abolish its predecessor, the Governor's Commission on Appellate Judicial Selection.

Ten members serve on the Nominating Commission, five of which are citizen members appointed to serve terms concurrent with the governor's term with no two residing in the same judicial circuit. The other five ex officio members represent the executive committee of the State Bar of Georgia and include the president, immediate past president, next immediate past president, president-elect and president of the Younger Lawyers Section.

Certain qualifications must be met before any candidate for judicial office is considered for appointment. A justice of the Supreme Court and a judge of the Court of Appeals and of the superior courts must be at least thirty years of age, be a citizen of Georgia for three years prior to his appointment and have practiced law in the state for seven years. A nominee for state court judge must be a member of the State Bar and must have practiced law at least three years before taking office. Qualifications for other judicial positions vary according to the statutes which created the respective courts.

The Commission begins the nominating process by soliciting nominations for each vacancy. The members evaluate each candidate based on a questionnaire concerning his or her qualifications and a legal article or brief which he or she has prepared. The Commission then investigates the nominees by interviewing attorneys familiar with them and by personally interviewing the candidates themselves. The nominating process may also be followed to fill newly created judgeships.

During fiscal year 1981, the Commission held six meetings to consider nominations for thirteen judicial positions. The Commission provided the Governor with lists of nominees for one vacancy in the Supreme Court,

JUDICIAL NOMINATING COMMISSION

A.G. (Gus) Cleveland, Jr.
Chairman
Attorney
Atlanta

Mrs. Odone B. Hill
Hawkinsville

Edgar C. Morgan, Jr.[1]
Conyers

John H. Ruffin, Jr.[2]
Augusta

Albert W. Thompson[3]
Columbus

Ralph O. Walton[1]
Hamilton

Henry Wisebram[4]
Barnesville

Ex officio members
(until June, 1981 meeting of the
State Bar of Georgia)

Bob Reinhardt
President
State Bar of Georgia
Tifton

J. Douglas Stewart
President-elect
State Bar of Georgia
Gainesville

Kirk M. McAlpin
Immediate Past President
State Bar of Georgia
Atlanta

Charles H. Hyatt
Next Immediate Past President
State Bar of Georgia
Decatur

James L. Pannell
Immediate Past President
Young Lawyers Section
State Bar of Georgia
Savannah

Ex officio members
(from June, 1981 meeting of the
State Bar to the present)

J. Douglas Stewart
President
State Bar of Georgia
Gainesville

Frank Love, Jr.
President-elect
State Bar of Georgia
Atlanta

Bob Reinhardt
Immediate Past President
State Bar of Georgia
Tifton

Kirk M. McAlpin
Next Immediate Past President
State Bar of Georgia
Atlanta

W. Terence Walsh
Immediate Past President
Younger Lawyers Section
State Bar of Georgia
Atlanta

[1]Mr. Morgan died in January, 1981, and was succeeded on the Commission by Mr. Walton who was appointed in June.

[2]Mr. Ruffin was appointed to the Commission in July, 1980, and resigned in June, 1981.

[3]Mr. Thompson was appointed to the Commission in July, 1980, and resigned in November.

[4]Mr. Wisebram was appointed in February, 1981, to succeed Mr. Thompson.

one vacancy on the Court of Appeals, three vacancies on the superior courts and three state court vacancies. It also submitted nominations for five new superior court judgeships.

In eight years of operation, the Commission has acted on a total of ninety-seven judgeships, including the following:

- 8 Supreme Court vacancies;
- 9 Court of Appeals vacancies;
- 65 superior court judicial positions;
- 14 state court judicial positions; and
- 1 municipal court judgeship.

JUDICIAL QUALIFICATIONS COMMISSION

By resolution of its 1972 session, the Georgia General Assembly provided for a constitutional amendment creating the Judicial Qualifications Commission to be submitted to the state's voters. Later that year, the amendment passed by a margin of almost four to one. A year later, on October 22, 1973, the Rules of the Judicial Qualifications Commission were adopted by the Supreme Court.

The Commission consists of seven members, including two judges of courts of record, three members of the State Bar of Georgia and two citizens. All members serve terms of four years. If a vacancy occurs, one of three appointing authorities selects a successor. The appointing authorities include the Supreme Court for a judge vacancy, the Board of Governors of the State Bar in the case of an attorney vacancy and the governor for a citizen vacancy. No member of the Commission other than a judge member may hold public or judicial office, and no member is permitted to hold office in any political party or organization.

The grounds for which a judge may be disciplined or removed or retired from office are clearly defined. Among the reasons for which action may be taken are: 1) willful misconduct in office; 2) willful and persistent failure to perform duties; 3) habitual intemperance; 4) conduct prejudicial to the administration of justice which brings the judicial office into disrepute; or 5) disability seriously interfering with the performance of duties, which is, or is likely to become of a permanent character.

After investigation of any complaint under its jurisdiction, the Commission may elect to follow one of two procedures for disposition. The Commission may itself hold a hearing, or it may request the Supreme Court to appoint a special master to hear and take evidence and then report to the Commission on the matter. If the Commission finds good cause after the hearing or after considering the report, it recommends to the Supreme Court the judge's removal, discipline or retirement. The Supreme Court exercises review over all proceedings.

During fiscal year 1981, the Commission held nine regular meetings and one formal hearing. Of the 112 complaints before the Commission (twenty-nine pending from fiscal year 1980 and eighty-three new complaints), fifty-seven were dismissed because they were not within the Commission's jurisdiction, sufficient information was not provided or no action was requested. Informal action was taken in response to twelve

complaints, and in three cases the judges resigned before formal charges were filed. One recommendation by the Commission was before the Supreme Court at the end of the year. Twenty-one complaints remained pending on June 30, 1981.

Formal action was taken in disposing of three complaints. The Supreme Court privately censured two judges and publicly censured one judge.

During the year, the Commission issued eleven informal opinions and six formal opinions. A synopsis of each of the formal opinions rendered by the Commission is presented below:

- A finance committee appointed by a candidate under Canon 7B(2) may appropriately raise funds with which to pay the qualifying fee of the candidate either in a primary or general election.
- A judge, who is a director in and shareholder of a bank, is not disqualified as a matter of law from presiding in a domestic relations case where the plaintiff husband is a secured or unsecured creditor of the bank and his wife is asking for alimony, child support and attorney's fees. (The Commission made this rule applicable to any other types of civil litigation.)
- It would be inappropriate for a judge to act as chairman of an annual fund campaign of a local organization.
- An associate judge of a state court should not file dispossessory warrants and handle civil and criminal cases in that court even though the regular judge of the court presides in such cases.
- Since a part-time juvenile court judge is permitted to practice law, such judge may represent a county board of education. In such representation, he may act as a lawyer in a disciplinary proceeding before the board, so long as the proceeding does not involve a matter in which he has previously served as judge, a matter then pending in his court or a matter that he knows or has reason to believe will be brought into his court.
- It would be improper for a judge of the superior court to participate as a judge in a mock trial of a medical malpractice action held as a part of a seminar conducted by a county medical society.

JUDICIAL QUALIFICATIONS COMMISSION

H. Holcombe Perry, Jr.
Chairman
Attorney
Albany

Howard Ector
Vice chairman
Atlanta

Harry S. Baxter
Attorney
Atlanta

Judge George A. Horkan, Jr.*
Superior Courts
Southern Judicial Circuit
Moultrie

Judge Byron H. Mathews, Jr.
State Court of Coweta County
Newnan

Judge Walter C. McMillan, Jr.*
Superior Courts
Middle Judicial Circuit
Sandersville

Mrs. Laura Dorsey Rains
Atlanta

Will Ed Smith
Attorney
Eastman

*Judge McMillan was appointed to the Commission effective February 1, 1981, to replace retiring Judge Horkan.

PROSECUTING ATTORNEYS' COUNCIL

In 1975, the Prosecuting Attorneys' Council was established to assist the state's prosecutors in their efforts against criminal activity. Since then, the Council and its staff have undertaken specific activities to disseminate information to prosecuting attorneys and law enforcement personnel and to provide research and trial assistance to district attorneys. In addition, the Council has conducted legal education courses and other training programs in accordance with a 1978 act which authorized the Council to prescribe curricula and reimburse prosecutors for attending such programs.

During the past year, assistance provided by the Council took several forms. Fiscal year 1982 budgets were prepared in part for all 42 district attorney offices throughout the state, and $371,016 in state funds was administered by the Council for its staff and for training reimbursements. The Council assisted in the prosecution of cases in twelve different judicial circuits and filed briefs in the Georgia Supreme Court and Court of Appeals and in the Fifth Circuit U.S. Court of Appeals on behalf of various district attorneys.

A major project of the Prosecuting Attorneys' Council is the maintenance of a brief bank to provide telephone research aid to district attorneys, often during the course of a trial.

The Council prepares and distributes specialized manuals and other publications on several topics. In fiscal year 1981, the Council published a manual on interstate extradition proceedings and revised the *Indictment Form Book* which was first printed in 1980. Among its annual publications are the following:

- *LegisScriptae*—a newsletter summarizing proposed legislation of concern to prosecutors;
- *Nunc Pro Tunc*—a digest of recent state and federal appellate cases from the Georgia superior courts, Court of Appeals and Supreme Court, as well as the Fifth U.S. Circuit Court of Appeals and the U.S. Supreme Court;
- *Law Enforcement Newsletter*—a publication containing items of interest to law enforcement personnel which is distributed to 1,066 police officers across the state;
- *Child Support Newsletter*—an abstract of material relating to the enforcement of child support which is distributed to judges, clerks and other county and state personnel;
- *Georgia Traffic Law Manual*—a basic text used to instruct judges, prosecutors and law enforcement personnel in Georgia traffic law; and
- *Supplement to Trial Manual*—a handbook used by prosecuting attorneys.

In addition, the Council published and distributed over 10,000 forms used under the Uniform Reciprocal Enforcement of Support Act.

During fiscal year 1981, the Council trained state patrol personnel on the legal considerations involving the use of radar and taught 1,200 law enforcement personnel attending the state's police academies basic and advanced curricula, including instruction on the laws of arrest, search and seizure and principal felonies and misdemeanors. The Council also conducted five seminars for personnel employed in the state's district at-

torneys', solicitors', and Attorney General's offices and in three U.S. Attorney offices.

PROSECUTING ATTORNEYS' COUNCIL

Andrew J. Ryan, III[1]
Chairman
District Attorney
Eastern Judicial Circuit
Savannah

Dewey Hayes[1]
Vice chairman
District Attorney
Waycross Judicial Circuit
Douglas

B. Daniel Dubberly, Jr.[2]
Secretary-Treasurer
Solicitor
State Court of Tattnall County
Glennville

H. Lamar Cole[3]
District Attorney
Southern Judicial Circuit
Valdosta

Harry N. Gordon[4]
District Attorney
Western Judicial Circuit
Athens

Nat Hancock[4]
District Attorney
Piedmont Judicial Circuit
Jefferson

W. Bryant Huff
District Attorney
Gwinnett Judicial Circuit
Lawrenceville

Herbert A. Rivers
Solicitor
State Court of Cobb County
Marietta

F. Larry Salmon[4]
District Attorney
Rome Judicial Circuit
Rome

Kenneth L. Stula
Solicitor
State Court of Clarke County
Athens

H. Reginald Thompson
District Attorney
Middle Judicial Circuit
Swainsboro

W. Don Thompson[5]
District Attorney
Macon Judicial Circuit
Macon

Tony H. Hight
Director
Decatur

[1]Mr. Ryan and Mr. Hayes resigned in December, 1980.
[2]Mr. Dubberly replaced Mr. Hayes as vice chairman.
[3]Mr. Cole replaced Mr. Ryan as chairman
[4]Mr. Gordon, Mr. Hancock and Mr. Salmon were elected to replace the three outgoing members.
[5]Mr. Thompson died in December, 1980.

SEMINARS CONDUCTED BY THE PROSECUTING ATTORNEYS' COUNCIL: FY 1981

Date	Topic	Location
July 9-11, 1980	Nuts and Bolts Seminar	Jekyll Island
August 7-8, 1980	Georgia Racketeer Influenced and Corrupt Organizations Act	Atlanta
August 26-28, 1980	Basic Prosecutor's Course	Atlanta
September 24-25, 1980	Traffic Law	Atlanta
October 28-31, 1980	20th Annual Seminar for District Attorneys	Athens

SUPERIOR COURTS SENTENCE REVIEW PANEL

Authorization for the Superior Courts Sentence Review Panel was legislated by the Georgia General Assembly as part of the Judge Sentencing Act of 1974 (Ga. Laws 1974, p. 352). The concept of the panel was based on the belief that a defendant has the right to have his sentence reviewed by a panel of three superior court judges, when the sentence or consecutive sentences total five or more years and has been fixed and imposed by a judge, without a jury. An exception to this right is a case in which the death penalty has been imposed.

Originally created as a single panel, the Sentence Review Panel currently sits in two simultaneous panels, each composed of three superior court judges. The panel members serve three months and are appointed by the president of the Council of Superior Court Judges. A supernumerary member is also appointed for each term and is authorized to substitute for one of the other members who cannot attend a meeting or who is disqualified. The members receive their actual expenses incurred while attending meetings, but receive no additional compensation. A clerk, deputy clerk and part-time secretary perform the staff functions for the panel.

In reviewing sentences, the panel seeks to determine whether excessive harshness has been imposed by the trial judge. Consideration is given to the nature of the crime for which the defendant has been convicted and to the defendant's prior criminal record. The panel reviews sentences upon application by the defendant, who must file his request for review with the clerk of the superior court in which the sentence was imposed within thirty days of the date on which the sentence was rendered or after the remittitur from an appellate court affirming the conviction is made the judgment of the sentencing court, whichever occurs later. While it is empowered to reduce sentences, the panel may not increase sentences, reduce sentences to probation or suspend any sentence.

Fiscal year 1981 was the first full year in which the Sentence Review Panel operated as two panels. The members reviewed 369 more cases than in fiscal year 1980, when the practice of using two panels was adopted and used for six months. The greater number of cases amounted to a 28 percent increase in the total number of cases reviewed over the previous year.

Of the 1,687 cases reviewed in fiscal year 1981, 1,542 were affirmed, and 145 cases where reduced. The reduction rate for the year was 8.60 percent.

Since the Sentence Review Panel was established, 110 superior court judges have served as members. Ninety judges have served one three-month term, while twenty judges have been appointed to two terms.

The cumulative reduction rate for cases reviewed since July 1, 1974, increased in 1981 to 7.29 percent. In reviewing a total of 7,382 case, the panel has affirmed 6,844 and reduced 538 cases.

ADMINISTRATIVE BOARD SENTENCE REVIEW PANEL

Judge Luther Alverson
Chairman
Atlanta Judicial Circuit
Atlanta

Judge George A. Horkan, Jr.
Southern Judicial Circuit
Moultrie

Judge Thomas W. Ridgway
Alcovy Judicial Circuit
Monroe

SUPERIOR COURTS SENTENCE REVIEW PANEL CASELOAD

Fiscal Year 1981
Summary of Cases Reviewed

Cumulative reduction rate
as of June 30, 1981: 7.29 percent

	Cases Affirmed	Cases Reduced
Panel 25	380	26
Panel 26	334	30
Panel 27	376	38
Panel 28	452	51

Five-Year Comparison of Cases Reviewed

	Case Affirmed	Cases Reduced
FY 1977	955	80
FY 1978	1,123	67
FY 1979	1,134	101
FY 1980	1,228	90
FY 1981	1,542	145

SUPERIOR COURTS SENTENCE REVIEW PANELS

July 1, 1980—September 30, 1980

PANEL XXV(ONE)
Judge Robert L. Royal
Chairman
Rome Judicial Circuit
Rome

Judge Frank M. Eldridge
Atlanta Judicial Circuit
Atlanta

Judge Roy M. Lilly
Southern Judicial Circuit
Thomasville

PANEL XXV(TWO)
Judge James L. Bullard
Chairman
Cobb Judicial Circuit
Marietta

Judge Joseph E. Loggins
Lookout Mountain Judicial Circuit
Summerville

Judge H.W. Lott
Alapaha Judicial Circuit
Lenox

Judge James L. Brooks
Supernumerary for both panels
Piedmont Judicial Circuit
Jefferson

October 1, 1980—December 31, 1980

PANEL XXVI(ONE)
Judge Watson L. White
Chairman
Cobb Judicial Circuit
Marietta

Judge Hugh Lawson
Oconee Judicial Circuit
Hawkinsville

Judge Bernard J. Mulherin
Augusta Judicial Circuit
Augusta

PANEL XXVI(TWO)
Judge William W. Daniel
Chairman
Atlanta Judicial Circuit
Atlanta

Judge Perry Brannen, Jr.
Eastern Judicial Circuit
Savannah

Judge Hugh P. Thompson
Ocmulgee Judicial Circuit
Eatonton

Judge John H. Land
Supernumerary for both panels
Chattahoochee Judicial Circuit
Columbus

January 1, 1981—March 31, 1981

PANEL XXVII(ONE)
Judge William F. Grant
Chairman
Northern Judicial Circuit
Elberton

Judge James E. Findley
Atlantic Judicial Circuit
Reidsville

Judge Curtis V. Tillman
Stone Mountain Judicial Circuit
Decatur

PANEL XXVII(TWO)
Judge William J. Forehand
Chairman
Tifton Judicial Circuit
Tifton

Judge John R. Harvey
Atlantic Judicial Circuit
Pembroke

Judge Walter C. McMillan, Jr.
Middle Judicial Circuit
Sandersville

Judge Clarence L. Peeler, Jr.
Supernumerary for both panels
Stone Mountain Judicial Circuit
Decatur

April 1, 1981—June 30, 1981

PANEL XXVIII(ONE)
Judge George B. Culpepper, III
Chairman
Macon Judicial Circuit
Macon

Judge Joseph B. Duke
Ocmulgee Judicial Circuit
Milledgeville

Judge W.G. Elliott
Southern Judicial Circuit
Valdosta

PANEL XXVIII(TWO)
Judge Joel J. Fryer
Chairman
Atlanta Judicial Circuit
Atlanta

Judge Eugene H. Gadsden
Eastern Judicial Circuit
Savannah

Judge Marvin A. Miller
Clayton Judicial Circuit
Jonesboro

Judge James E. Palmour, III
Supernumerary for both panels
Northeastern Judicial Circuit
Gainesville

COUNCIL OF JUVENILE COURT JUDGES ANNUAL REPORT

The Council is empowered with the authority to establish general policies for the conduct of juvenile courts and to promulgate uniform rules and forms governing the practices of those courts.

While it has operated since the early 1950's, the Council of Juvenile Court Judges was officially created in 1971 by enactment of the Juvenile Code of Georgia (Ga. Code Ann. §24A-501). The Council, constituted of all judges of the state's courts exercising jurisdiction over juveniles, is empowered with the authority to establish general policies for the conduct of juvenile courts and to promulgate uniform rules and forms governing the procedures and practices of those courts. Through its members, executive director and juvenile court consultant, the Council also provides consultation regarding the administration of court services and the recruitment and training of personnel, makes recommendations for improvements in court services and collects statistics on judicial workload.

During the past year, the Council's membership consisted of eight full-time juvenile court judges, forty-one part-time juvenile court judges (five of whom also served as their county's state court judge) and thirty-six superior court judges who also served as juvenile court judges.

Composed of an extensive network of separate state, county and private agencies which provide comprehensive services to troubled children, the Georgia juvenile justice system encompasses not only the adjudicatory process, but part of the treatment process as well. For this reason, juvenile court judges feel a special responsibility to seek out and to maximize the use of local resources which could bring about the desired behavioral changes in children brought before them. Juvenile court judges view that responsibility as important because they feel it is in their system that the greatest potential exists for crime reduction and where the most impact can be made on young offenders.

One area in which the Council has directed primary efforts this year is the provision of continuing education and professional development training for judges and court-related personnel involved in the adjudication and treatment of juvenile offenders. The Council also placed special emphasis on the implementation of management tools such as the statewide juvenile court statistical information system and a model juvenile court docket in an effort to continually upgrade administration within the juvenile courts.

During fiscal year 1981, the Council of Juvenile Court Judges continued its liaison with numerous justice-related agencies, working especially closely with the Judicial Council of Georgia/Administrative Office of the Courts, the Division of Youth Services of the Department of Human Resources, the State Crime Commission, the Institute of Continuing Judicial Education, the Committee to Revise the Judicial Article, the Senate Committee on Juvenile Institutions and the Senate Study Committee on Juvenile Justice.

Continuing Education

In cooperation with the Institute of Continuing Judicial Education, the Council assisted in the development and presentation of two educational workshops for Georgia judges and referees who exercise juvenile court jurisdiction. In establishing the curricula, the Council's Education Planning Committee placed particular emphasis on changes in statutory and case law relating to juvenile courts and on methods of improving knowledge of non-legal issues regarding rehabilitation of the child. Ap-

proximately fifty judges, referees and court administrators attended the fall and spring workshops.

The Council continued its support in the administration of a federal grant to provide training for the direct service personnel of the juvenile courts. Jointly administered by the Council of Juvenile Court Judges and the Division of Youth Services of the Department of Human Resources, the training program is a unique arrangement which has drawn national attention and commendation from the National Council of Juvenile and Family Court Judges for its educational value. A nine-member board of directors oversees the training project, which is coordinated by two staff professionals. The board is composed of juvenile court judges and direct service management personnel from both the Division of Youth Services and the independent juvenile courts.

In fiscal year 1981, the third year of operation under the grant, 542 persons employed in the state's juvenile courts and treatment facilities attended 37 workshops sponsored by the training project. Fifty-four percent of these workshops were presented through a network of local juvenile court and youth services personnel who have been trained as trainers to extend the benefits of continuing education to additional personnel at a modest cost. Cooperation between juvenile court judges who supervise county probation personnel and the management of the Division of Youth Services has facilitated a meaningful exchange between these state and local trainers and workers. It is expected that in-service trainers will play an even larger role in the training process as funds become more limited.

In planning future judicial education programs, the Council of Juvenile Court Judges will continue to work with the Institute of Continuing Judicial Education. The Council is represented on the Board of Trustees of the Institute by Judge Rex R. Ruff.

COUNCIL OF JUVENILE COURT JUDGES EXECUTIVE COMMITTEE

Judge Edward D. Wheeler
President
Juvenile Court of DeKalb County
Decatur

Judge Herbert M. Crane
Immediate Past President
Juvenile Court of Bartow County
Cartersville

Judge Martha K. Glaze
President-elect
Juvenile Court of Clayton County
Jonesboro

Judge Othniel W. McGehee
Vice president
Juvenile Court of Bibb County
Macon

Judge Virgil Costley, Jr.
Secretary
Juvenile Court of Newton County
Covington

Judge David J. Turner, Jr.
Treasurer
Juvenile Court of Meriwether County
Manchester

J. Chris Perrin
Executive director
Atlanta

Management Tools

While the statewide juvenile court information system implemented by the Council has yet to become fully operational, juvenile statistical reports were generated for more than twenty-five counties during the year. The twelve types of reports produced by the system included those detailing the race and sex of children referred to court, case dispositions, recidivism, complainant profiles and the different kinds of treatment used.

The information processed by the information system was derived through the use of the model juvenile court docket originally developed through the model dockets project of the Administrative Office of the Courts. During the past year, eighty-five counties used the docketing system to maintain juvenile court records. Twenty-eight of these counties submitted sufficiently complete data to the Council to warrant the termination of a manual case-count in their courts. In the remaining counties, juvenile court caseload data was manually collected through a joint project conducted by the Administrative Office of the Courts and the Judicial Administrative Districts. Persons participating in the project searched docket entries and, in many cases, original papers in each juvenile court according to a uniform methodology to determine the number and type of cases filed and disposed. The Council's computer system tabulated the manually collected juvenile data, as well as data gathered in the superior, state and probate courts for the AOC's caseload study.

The Council continued its efforts to assist local juvenile courts in purchasing services for delinquent and status offenders under their care. In the second year of operation under a $370,000 federal grant, the purchase of services program has provided alternatives to the institutionalization of juveniles through the development of local restitution projects; community-works programs; counseling; and tutorial, short-term residential and transportation services. Since the program's inception more than 2,000 delinquent and status offenders have benefited from the community-based programs.

Under the terms of the program, each of the sixty participating counties contracted with specific individuals and agencies to provide such services as individual tutoring and family counseling. The respective counties compensated these suppliers of services and, in turn, were reimbursed by the Council from grant funds. Many counties instituted symbolic restitution projects in which young offenders worked in the community as part

of their court disposition. Grant funds were used to hire responsible persons to supervise the youths as they worked.

Near the end of the fiscal year, the Council made application for third-year funding for the purchase of services project, with funds available from the Office of Juvenile Justice and Delinquency Prevention through the assistance of the Department of Community Affairs.

Publications

During the latter part of the fiscal year, the Council employed the services of two law interns to update and revise the Council's *Juvenile Court Judges Benchbook*. The benchbook, topically indexed to all case law and Georgia statutes, serves as a reference book for juvenile court judges during hearings. Distribution of the benchbook was planned for the early part of the 1982 fiscal year.

Liaison with Other Agencies

An important and continuing function of the Council of Juvenile Court Judges is its liaison and advisory role with other agencies concerning major policy matters affecting juvenile courts. During the year, the Council appointed special committees composed of its members to increase its effectiveness in this area. The Judicial Liaison Committee met regularly with the Division of Youth Services of the Department of Human Resources to improve the working relationship between the executive and judicial branches in providing services to children. The Juvenile Justice Task Force assisted in the development of statewide plans for the use of federal funds for juvenile courts. The Council's Committee on Constitutional Revision of the Judicial Article served in an advisory capacity on matters relating to juvenile court jurisdiction.

Members of the Council's professional staff, along with juvenile court judges, served on the Advisory Council of the Senate Juvenile Justice Study Committee, which has thoroughly studied the entire system of juvenile justice and made recommendations for its improvement, and on the Governor's Advisory Council on Juvenile Justice and Delinquency Prevention.

Statutes

Of the several bills relating to juvenile courts proposed by legislators during the 1981 Session of the Georgia General Assembly, two passed and became law. Senate Bill 136, now known as the "Mandatory Training Act" (Ga. Code Ann. §24A-502), was particularly important as it requires all judges who exercise juvenile court jurisdiction to attend at least one educational seminar sponsored by the Council of Juvenile Court Judges each year. The act further stipulated that any judge failing to meet the minimum training requirement will not be permitted to sit as a juvenile judge after January 1, 1983, unless he or she is in the first year of his or her term.

In addition, Senate Bill 30 was passed to provide for punishment for contempt of court in the Juvenile Code. The act (Ga. Code Ann. §24A-401 (e) (3)) provides that failure to appear as required in juvenile court would be recorded as a delinquent act.

GEORGIA JUSTICE COURTS TRAINING COUNCIL ANNUAL REPORT

The Council prescribes educational standards to ensure minimum training for justices of the peace.

The Georgia General Assembly enacted the Georgia Justice Courts Training Council Act (Ga. Laws 1978, p. 894) to ensure the development of minimum training requirements for justices of the peace and to vest the responsibility for training in the Georgia Justice Courts Training Council. The act, which became effective July 1, 1978, authorized the Council to prescribe educational standards for an annual continuing education program to be completed by justices of the peace in order to achieve certified status. Justices of the peace who comply with the provisions of the act and are issued a certificate by the Council are permitted to charge and collect fees, according to a fee schedule set by the legislature, for their services as judicial officers.

Since 1978, the act has been amended twice and interpreted by the Attorney General. In April of 1979, the Attorney General, upon request of the Administrative Office of the Courts, issued an official opinion which applied the act's training requirement to judges of small claims courts who exercise the powers of justices of the peace. (The enabling legislation of most of the state's 104 small claims courts grants such powers to the judge.) In 1980, the legislature amended the act to exempt from the certification requirement small claims court judges who are practicing attorneys. The act was further changed in 1981 to provide that any justice of the peace or small claims court judge who has been a practicing attorney in the state for at least four years need not become certified to charge fees for duties performed.

The Council is composed of five justices of the peace and the director of the Administrative Office of the Courts, who serves as ex officio secretary. Since the Council's creation, the five members have included four justices of the peace and one small claims court judge. They receive no salary, but are reimbursed for expenses incurred in performing their functions.

The Council funds its certification program from multiple sources. While the legislature appropriates some state funds for justice of the peace training, the majority of the funding comes from the tuition fee paid by all program participants.

In fiscal year 1981, total state funds available to the Council equaled $11,000, which was forty-five percent less than the $20,000 appropriated by the General Assembly in fiscal year 1980. The Council had requested a $20,000 supplemental appropriation for 1981, but the legislature did not provide any additional funds for the Council's training program.

For the past three years, the Council has developed the curricula for the two-part certification program required by the training statute. A 40-hour certification course is conducted for newly elected or appointed justices of the peace, and a 20-hour annual recertification seminar is held for justices of the peace to fulfill the continuing education requirement and maintain their certified status. The 40-hour program provides general instruction in performing the duties of office and must be completed by justices of the peace within one year of their election or appointment. The 20-hour seminars provide specialized training in selected areas. To meet the certification requirement, justices of the peace must attend the entire training course and successfully complete a written examination.

In fiscal year 1981, the Council met seven times to plan curricula, approve instructors and certify the program participants. The Council contracted with the In-

stitute of Continuing Judicial Education to coordinate the certification programs, which had previously been conducted with the assistance of the Administrative Office of the Courts. As the Institute carried out the training for the Council, the AOC's duty shifted to that of maintaining the certification records and providing some administrative support.

The Institute held one 40-hour course and three 20-hour seminars in Athens during the year. Instruction presented at the 40-hour program included topics on the Georgia court system, judicial behavior, court operations, evidence, legal research and civil and criminal procedure. Presentations on evidence, legal research, landlord/tenant and contract law and recent developments regarding justice courts were made at each of the 20-hour seminars. Judges, attorneys and law professors provided most of the instruction at the four programs. Due to a change in Council policy, two justices of the peace were approved as qualified instructors and presented topics on operations and specific procedures in justice courts at the 40-hour course.

Those attending the initial certification course were provided with a two-volume edition of the *Georgia Code Unannotated* and, along with the 20-hour participants, a 1980 supplement to the Code. The Council charged tuition fees of $56 for the 40-hour session and $40 for the 20-hour program to cover the cost of the educational materials distributed. It has been determined that justices of the peace may be reimbursed by their county governing authority for their expenses incurred in connection with attending the Council's seminars.

Of the 467 justices of the peace and small claims court judges certified during the year, one-third (152) were newly elected or appointed officials who attended the 40-hour program. Those certified included 401 justices of the peace, 62 small claims court judges and four probate judges who act as small claims court judges.

FY 1981 CERTIFICATION SEMINARS

Date	Attendance	# Hours
October 20-22, 1980	59	20
January 12-14, 1981	99	20
March 9-11, 1981	142	20
May 11-15, 1981	163	40

GEORGIA JUSTICE COURTS TRAINING COUNCIL

Judge Nick J. Lazaros
Chairman
Justice of the Peace
Houston County
Warner Robins

Judge George W. Eisel, III
Vice chairman
Small Claims Court of
Hancock County
Sparta

Judge Lois A. Bailey
Justice of the Peace
Clayton County
College Park

Judge Leonard Danley
Justice of the Peace
Douglas County
Winston

Judge Eleanor Dotson
Justice of the Peace
Charlton County
Folkston

Robert L. Doss, Jr.
Ex officio secretary
Director, Administrative Office of the Courts
Atlanta

APPENDIX ONE

SUPREME COURT ORDERS AND ACT CREATING THE JUDICIAL COUNCIL

SUPREME COURT OF GEORGIA ATLANTA, JUNE 12, 1978

The Honorable Supreme Court met pursuant to adjournment. The following order was passed:

The petition of the Judicial Council of Georgia filed on May 30, 1978, is hereby granted.

It is ordered:

(a) that the Judicial Council of Georgia be and it hereby is established as an administrative arm of this Court; and

(b) that the officers and members of the Judicial Council of Georgia shall be the officers and members of the Council as presently constituted; and

(c) that the powers and duties of the Judicial Council of Georgia shall be the same as the powers and duties of the Council as presently constituted; and

(d) that the membership, powers and duties of the Council may be changed from time to time by further order of this Court.

It is further ordered that any member of the State Bar of Georgia or any other interested person may file with this Court before September 1, 1978, written objections to this order. Written objections may be accomplished by argument and citations of authority. A hearing on objections will be set by this Court after September 1, 1978, if demanded by any objector.

It is further ordered that the State Bar of Georgia publish a copy of the petition of the Judicial Council of Georgia and of this order in the next issue of the *Georgia State Bar News*.

SUPREME COURT OF GEORGIA ATLANTA, FEBRUARY 6, 1980

The Judicial Council of Georgia, acting by and through its lawfully appointed officers, filed with the Court on December 28, 1979, its petition reciting that it is authorized by its members to apply to this Court for an order:

(a) increasing the voting membership of the Judicial Council of Georgia;

(b) providing for election of voting membership;

(c) providing for the lengths of terms for members;

(d) providing for certain other matters relating to the operation of the Judicial Council of Georgia; and

(e) providing for certain measures regarding implementation of the restructuring of the Judicial Council of Georgia.

It is hereby ordered that:

(A) The membership of the Judicial Council of Georgia is established as follows:

(1) Voting membership: one judge of the Georgia Court of Appeals; ten (10) judges of the superior court; three judges of the state court; three judges of the probate court; one judge of the juvenile court; and two members of the State Bar of Georgia. 20 voting members.

(2) Non-voting membership: one justice of the Supreme Court of Georgia; one justice of the peace; and one clerk of the superior court. 3 non-voting members.

(B) The selection of voting members shall be as follows:

(1) Voting membership

(a) The judge of the Georgia Court of Appeals shall be elected by the members of that court.

(b) One superior court judge shall be elected by the District Council in each of the ten Judicial Administrative Districts (established by the Judicial Administration Act of 1976) by secret written ballot in each District.

(c) The three judges of the state court shall be elected by the judge members of the Trial Judges and Solicitors Association of Georgia.

(d) The three judges of the probate court shall be elected by the Probate Court Judges Association.

(e) The juvenile court judge shall be elected by the Georgia Council of Juvenile Court Judges.

(f) The members of the State Bar of Georgia shall be the immediate two Past Presidents of the State Bar of Georgia.

(2) Non-voting membership

(a) The justice of the Georgia Supreme Court shall be elected by the members of that court.

(b) The justice of the peace shall be a certified justice of the peace appointed by the Supreme Court of Georgia.

(c) The clerk of the superior court shall be elected by the Georgia Superior Court Clerks Association.

(C) It is further ordered that:

(1) The terms of voting members of the Judicial Council shall be for three years commencing on the first day of July of each year and the terms shall be staggered.

(2) The terms of non-voting members shall be for three years commencing on the first day of July each year.

(3) No member of the Judicial Council shall succeed himself for a period of three years.

(4) No senior judge shall serve on the Judicial Council.

(5) There shall be no age limit as to members who may serve on the Judicial Council.

(6) The terms for initial new members shall be staggered and the length of these terms shall be determined by lot as shown in Exhibit 1 attached hereto.

(D) It is further ordered that the reconstitution of the Judicial Council shall be effective as of March 1, 1980. Current members of the Judicial Council shall complete the full terms for which they were appointed. The new members of the Judicial Council taking office on March 1, 1980, shall serve as members of the Judicial Council for a special four-month term until the commencement of their regular term as members on July 1, 1980. During this special term (March 1, 1980 to June 30, 1980) the President and the Immediate Past President of the State Bar of Georgia shall serve as the two Bar representatives. Thereafter, the terms of members of the Judicial Council shall commence on July 1 and end on June 30.

(E) It is further ordered that the Judicial Council of Georgia shall provide copies of this Order to the interested parties set out in Schedule A of the Judicial Council's petition, and the Judicial Council is hereby authorized and directed to coordinate the timely and proper implementation of the reorganization of the Judicial Council.

SUPREME COURT OF GEORGIA ATLANTA, JANUARY 15, 1981

The Honorable Supreme Court met pursuant to adjournment. The following order was passed:

It is ordered that Sections (A) (2) and (C) (3) and (4) of this Court's Order of February 6, 1980, relating to the membership of the Judicial Council of Georgia, be hereby amended as follows:

Section (A) (2) is amended by adding a fourth non-voting member category, so that as amended, Section (A) (2) shall read:

"(2) Non-Voting Membership

1 Justice of the Supreme Court of Georgia
1 Justice of the Peace
1 Clerk of the Superior Court
1 Judge of Magistrates, Mayors, Recorders, Police, Small Claims, Municipal, Civil, County, Traffic or County Recorders Courts

4 Non-Voting Members"

Section (C) (3) is amended by adding a proviso at the end, so that as amended Section (C) (3) shall read:

"(3) No member of the Judicial Council shall succeed himself

for a period of three years, provided that any member elected or appointed for a term of one year or less shall not be prohibited from succeeding himself."

Section (C)(4) is amended by inserting the words "be elected to" following the word "shall", so that as so amended Section (C)(4) shall read:

"(4) No Senior Judge shall be elected to serve on the Judicial Council."

SUPREME COURT OF GEORGIA ATLANTA, JANUARY 15, 1981

The Honorable Supreme Court met pursuant to adjournment. The following order was passed:

It is ordered that Paragraph (c) of this Court's Order of June 12, 1978, relating to the status, powers and duties of the Judicial Council of Georgia be hereby amended by adding at the end thereof authorization for certain additional duties to be performed by the Administrative Office of the Courts, so that as so amended Paragraph (c) shall read as follows:

"(c) that the powers and duties of the Judicial Council of Georgia shall be the same as the powers and duties of the Council as presently constituted, and that the Administrative Office of the Courts shall perform the following additional duties:

(i) Receive grants from any source, public or private, and expend funds and perform services in accordance with the terms of any grant.

(ii) Prepare, publish and distribute, from time to time, studies and reports relating to the administration of justice, impose reasonable charges for such reports where appropriate on either an individual or subscription basis and retain any proceeds of such charges.

(iii) Provide clerical, technical, research or other assistance to individual courts to enable them more effectively to discharge their duties.

(iv) Enter into contracts as necessary to perform its other duties."

ACT NO. 178, GA. LAWS 1973, P. 288

An Act to create a Judicial Council of the State of Georgia; to provide for the membership of the Council, their qualifications, appointment, election, compensation, expenses, terms of office, succession, duties, powers, authority and responsibilities; to provide for a method of filling vacancies; to provide for meetings of the council; to provide for officers of the council and their terms; to provide for rules for the transaction of business; to create the Administrative Office of the Courts; to provide that such office shall serve as the staff for the Judicial Council; to provide for the appointment of a Director of the Administrative Office of the Courts and his compensation, duties, powers, authority and term of office; to provide for assistants, clerical and secretarial employees and their duties and compensation; to provide for the duties and authority of the Administrative Office of the Courts; to provide for annual reports; to provide that the provisions of this Act shall not be construed as limiting or affecting the authority of any court to appoint administrative or clerical personnel; to provide for other matters relative to the foregoing; to provide an effective date; to repeal an Act creating a Judicial Council of the State of Georgia, approved February 28, 1945 (Ga. L. 1945, p. 155); to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. (a) There is hereby created the Judicial Council of the State of Georgia. The council shall be composed of eleven members, nine of whom shall be judges of courts of record of the State. The two remaining members shall be the president of the State Bar of Georgia and the immediate past president of the State Bar of Georgia. The initial nine judicial members of the council shall be appointed by the Governor, with three such initial members being appointed for a term of four years, three such initial members being appointed for a term of three years, and three such initial members being appointed for a term of two years. Immediately prior to the expiration of a member's term of office as a member, the council shall elect a new member to succeed the member whose term is expiring. Following the terms of the initial members appointed by the Governor, the term of office of each judicial member of the council shall be for a period of four years. The initial members of the council shall take office on May 1, 1973, and succeeding members of the council shall take office on the first day of May following their election by the council. No judicial member of the council shall be eligible to succeed himself for a consecutive term as a member. The president and immediate past president of the State Bar of Georgia shall serve as members of the council only during their tenure as president or immediate past president of the State Bar of Georgia.

(b) In the event a vacancy occurs in the judicial membership of the council as a result of the death, resignation, retirement, removal or failure of re-election as a judge of a court of record, the remaining members of the council shall elect a qualified person to serve for the remainder of the unexpired term of the member whose seat is vacant. The person elected to fill such vacancy shall take office immediately upon his election.

Section 2. The council shall meet at such times and places as it shall determine necessary or convenient to perform its duties. The council shall annually elect a chairman and such other officers as it shall deem necessary and shall adopt such rules for the transaction of its business as it shall desire. The members of the council shall receive no compensation for their services, but shall be reimbursed for their actual expenses incurred in the performance of their duties as members of the council.

Section 3. There is hereby created the Administrative Office of the Courts, which shall serve as the staff for the Judicial Council.

Section 4. The Judicial Council shall appoint a Director of the Administrative Office of the Courts, who shall serve at the pleasure of the Judicial Council. The director shall be the executive head of the Administrative Office of the Courts and shall perform such duties as provided in this Act or as may be delegated to him by the Judicial Council. The director shall devote his full time to his official duties. The director shall receive such compensation and expenses as may be authorized by the Judicial Council. With the approval of the Judicial Council, the director shall appoint such assistants, clerical and secretarial employees as are necessary to enable him to perform his duties and fix their compensation.

Section 5. Under the supervision and direction of the Judicial Council, the Administrative Office of the Courts shall perform the following duties:

(a) Consult with and assist judges, administrators, clerks of court and other officers and employees of the court pertaining to matters relating to court administration and provide such services as are requested.

(b) Examine the administrative and business methods and systems employed in the offices related to and serving the courts and make recommendations for necessary improvement.

(c) Compile statistical and financial data and other information on the judicial work of the courts and on the work of other offices related to and serving the courts, which shall be provided by the courts.

(d) Examine the state of the dockets and practices and procedures of the courts and make recommendations for the expedition of litigation.

(e) Act as fiscal officer and prepare and submit budget estimates of State appropriations necessary for the maintenance and operation of the judicial system.

(f) Formulate and submit recommendations for the improvement of the judicial system.

(g) Perform such additional duties as may be assigned by the Judicial Council.

(h) Prepare and publish an annual report on the work of the courts and on the activities of the Administrative Office of the Courts.

Section 6. The provisions of this Act shall not be construed as limiting or affecting the authority of any court.

Section 7. This Act shall become effective upon its approval by the Governor or upon its becoming law without his approval.

Section 8. An Act creating a Judicial Council for the State of Georgia, approved February 18, 1945 (Ga. L. 1945, p. 155) is hereby repealed in its entirety.

Section 9. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved April 3, 1973.

APPENDIX TWO

JUDICIAL ADMINISTRATION ACT OF 1976

ACT NO. 1130, GA. LAWS 1976, P. 782

An Act to create Judicial Administration Districts and the boundaries thereof; to provide for a short title; to provide for Judicial Administration District Councils, their composition, presiding officers, meetings and establishing of rules; to provide for the election of Administrative Judges, their term, removal, duties, authority, and compensation; to provide for Administrative Assistants, their qualifications, duties, compensation, and classification; to provide for severability; to provide an effective date; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. Short Title. This Act shall be known and may be cited as "The Judicial Administration Act of 1976."

Section 2. Judicial Administration Districts; Creation. Ten (10) Judicial Administration Districts of more or less equal population in each District are hereby created within the State. The boundaries of the ten Judicial Administration Districts, to the extent possible, shall follow the present boundaries of the ten (10) U.S. Congressional Districts, except that each existing judicial circuit shall remain intact and shall not be placed in more than one Judicial Administration District. The Governor, after conferring with the superior court judges, shall establish by July 1, 1976, the original boundaries of each Judicial Administration District pursuant to the provisions of this section. The ten (10) Administrative Judges provided for in this Act may provide for any necessary changes in the boundaries in such Districts not inconsistent with the provisions of this Section.

Section 3. Judicial Administration District Councils. A District Council for each Judicial Administration District is hereby created, composed of all judges of the superior court within the District. The superior court judge in each District having seniority in number of years as a superior court judge shall serve as presiding officer of the District Council. Each District Council shall meet at least once a year and as often as required to discuss administrative problems peculiar to the District and otherwise to perform its duties. Each District Council shall establish rules, by majority vote, which will cover the right to call additional meetings and procedures for handling the administrative work of the Council.

Section 4. District Administrative Judge. The judges of each District Council shall elect a superior court judge or a judge emeritus of the superior court to serve for a two-year term as an "Administrative Judge" within the district. The District Administrative Judge shall serve until his successor is elected and qualified; provided, however, that the District Administrative Judge may be removed at any time by a two-thirds vote of all judges comprising the District Council. The duties of Administrative Judge shall be additional duties which shall not be construed to diminish his other responsibilities.

Section 5. Administrative Assistant. Each District Administrative Judge is hereby authorized to hire a full-time assistant adequately trained in the duties of court administration. The assistant shall assist in the duties of the District Administrative Judge, provide general court administrative services to the District Council, and otherwise perform such duties as may be assigned to him by the District Administrative Judge. Each assistant shall be an employee of the Judicial Branch of State Government and shall be in the unclassified service of the State Merit System of Personnel Administration. The assistant shall be compensated out of funds made available for such purposes within the Judicial Branch of Government.

Additional funds shall be made available for needed clerical and other office operation costs of the assistant.

Section 6. Duties and Authority of District Administrative Judge. The duties and authority of each District Administrative Judge shall be as follows:

(a) To request, collect and receive information from the courts of record within his District pursuant to uniform rules promulgated by the ten (10) Administrative Judges;

(b) To authorize and assign any superior court judge within the District to sit on any type of case or handle other administrative or judicial matters within the District, provided, however, that the assignment shall be made with the consent of the assigned judge and with the consent of the majority of the judges of the circuit to which the assignment is made; that the assignment shall be made subject to rules promulgated by the District Council by a majority vote of the superior court judges within the District.

Section 7. Severability. In the event any section, subsection, sentence, clause or phrase of this Act shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full force and effect, as if the section, subsection, sentences, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof. The General Assembly declares that it would have passed the remaining parts of this Act if it had known that such part or parts thereof would be declared or adjudged invalid or unconstitutional.

Section 8. Effective Date. This act shall become effective July 1, 1976.

Section 9. Repealer. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved March 25, 1976.

APPENDIX THREE

THE GEORGIA COURT REPORTING ACT

ACT NO. 851, GA. LAWS 1974, P. 345

An Act to be known as "The Georgia Court Reporting Act"; to provide a short title; to provide for a declaration of purpose; to provide that the Judicial Council of Georgia is an agency of the judicial branch of State government for certain purposes; to provide for authority, powers and duties of the Judicial Council and of the Board of Court Reporting of the Judicial Council relative to the regulation of court reporting; to require certification of court reporters; to provide for injunctions; to provide for penalties; to provide that it shall be unlawful for a person to engage in the practice of court reporting without being certi-

fied; to provide for rules and regulations; to provide for practice and procedures; to provide for other matters relative to the foregoing; to provide for severability; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. Short Title. This Act shall be known and may be cited as "The Georgia Court Reporting Act."

Section 2. Declaration of Purpose. It is hereby declared by the General Assembly of Georgia that the practice of court reporting carries important responsibilities in connection with the administration of justice, both in and out of the courts; that the court reporters are officers of the courts, and that the right to define and regulate the practice of court reporting belongs naturally and logically to the judicial branch of the State government. Therefore, in recognition of these principles, the purpose of this Act is to act in aid of the judiciary so as to insure minimum proficiency in the practice of court reporting by recognizing and conferring jurisdiction upon the Judicial Council of the State of Georgia to define and regulate the practice of court reporting.

Section 3. Judicial Council of Georgia; Agency of Judicial Branch. The Judicial Council of Georgia, as created by an Act approved April 3, 1973, (Ga. L., 1973, p. 288), is hereby declared to be an agency of the judicial branch of State government for the purpose of defining and regulating the practice of court reporting in this State.

Section 4. Definitions. The following words and phrases when used in this Act shall have the following meanings:

(1) "Court Reporting" shall mean the making of a verbatim record by means of manual shorthand, machine shorthand or Stenomask or other means of personal verbatim transcription of any testimony given under oath before or for submission to any court, referee, court examiner or board, commission or other body created by statute of this State, or any other proceedings where a verbatim record is required.

(2) "Court Reporter" shall mean any person who is engaged in the practice of court reporting as a profession as defined in this Act. The term "court reporter" shall include not only those who actually report judicial proceedings in courts, but those who make verbatim records as defined in subsection (1) of this Section.

(3) "Certified Court Reporter" shall mean any person certified under provisions of this Act to practice verbatim reporting.

(4) "Board" shall mean the Board of Court Reporting of the Judicial Council as hereinafter provided.

Section 5. Board of Court Reporting of the Judicial Council, creation, name, membership, appointment, qualifications, terms, vacancies, removal. There is hereby established a board which shall be known and designated as the "Board of Court Reporting of the Judicial Council" and shall be composed of seven members, four members to be Certified Court Reporters and two members to be representatives from the State Bar of Georgia, and one member from the judiciary, each of whom shall have not less than five years' experience in his or her profession. The initial board shall be appointed by the Judicial Council. The term of office shall be two years, and the Judicial Council shall fill vacancies on the board.

Any member of this board may be removed by the Judicial Council after a hearing at which the Judicial Council shall have determined cause for removal.

Section 6. Oath of office taken by board, certificate of appointment. Immediately before entering upon the duties of said office, the members of the State Board of Court Reporting shall take the oath of office, and shall file the same in the office of the Judicial Council, which upon receiving said oath of office, shall issue to each member a certificate of appointment.

Section 7. Organization of board, rules and regulations. The board shall each year elect from its members a chairman whose term shall be for one year and who shall serve during the period for which elected and until his or her successor shall be elected. The board shall make all necessary rules and regulations to carry out the provisions of this Act, but said rules and regulations shall be subject to review by the Judicial Council.

Section 8. Certified Court Reporter, corporation and firm name; regulations. Any person who has received from the board a certificate as herein provided for shall be known and styled as a "Certified Court Reporter," and shall be authorized to practice as such in the State of Georgia and to use such title or the abbreviation "C.C.R." or any other words or abbreviations tending to indicate that the person, firm or corporation so using the same is a certified court reporter.

Section 9. Issuance of certificate, qualifications for certification. The board shall grant a certificate as a Certified Court Reporter to any citizen of the United States residing or having a place for the regular transaction of business in this State (a) who has attained the age of eighteen years, is of good moral character, and is a graduate of a high school or has had an equivalent education; and (b) who has, except as provided in Section 2 of this Act, successfully passed an examination in verbatim court reporting as prescribed in Section 10 of this Act.

Section 10. Examination of applicants, fee, scope of examination. Every person desiring to commence the practice of court reporting in this State shall file an application for a certificate with the State Board of Court Reporting upon such form as shall be adopted and prescribed by the board. At the time of making such application the applicant shall deposit with the board an examination fee, to be determined by the board. Examinations shall be conducted as often as may be necessary as determined by the board, provided, that examinations are conducted at least once annually. Applicants shall be notified by mail of the holding of such examinations no later than ten (10) days before the date upon which such examinations are to be given. Examinations shall be conducted and graded according to rules and regulations prescribed by the board.

Section 11. Exemption from taking the examination. Any person, a citizen of the United States, who has attained the age of eighteen years, of good moral character, who shall submit to said board an affidavit under oath that he or she has been actively and continuously for one year preceding the passage of this Act principally engaged as a court reporter shall be exempt from taking such examination and shall be granted a certificate as a "Certified Court Reporter."

Section 12. Limitations after one year following effective date. After expiration of one year after the date this Act becomes law, no person shall engage in the practice of verbatim court reporting in this State unless such person is the holder of a certificate as a "Certified Court Reporter" issued under the provisions of this Act.

Section 13. Revocation, notice to certificate holder, hearing, witnesses. On a verified complaint, the board may revoke or suspend any certificate issued under this Act for unprofessional conduct or other sufficient cause after notice of and opportunity for hearing. Said notice shall state the cause for such contemplated revocation, the time and place of such hearing, and shall be mailed to the registered address of the holder of such certificate at least thirty (30) days before such hearing. Each board member shall be empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence and require the production of any records, concerning any matter within the jurisdiction of the board. The board shall reduce to writing a summary of the evidence given before it and shall make a written finding of facts thereon. Certificates may be revoked or suspended for one or more of the following reasons:

(1) Conviction of a felony subsequent to the passage of this Act;

(2) Conviction of a misdemeanor involving moral turpitude subsequent to the passage of this Act;

(3) Fraud, dishonesty, corruption, willful violation of duty, or has become incompetent to continue to perform his or her duties as a court reporter;

(4) Fraud or misrepresentation resorted to in obtaining a certificate under this Act.

Provided, however, that any disciplinary action of the board may be appealed by the aggrieved person to the Judicial Council, which shall have the power to review said determination by the board.

Section 14. Penalties for violation. If, after this Act be-

comes law, any person shall represent himself or herself as having received a certificate as provided for in this Act, or shall practice as a Certified Court Reporter without having received such certificate, or having his or her certificate revoked, shall continue to practice as a Certified Court Reporter in the State of Georgia, or shall use any title or abbreviation indicating that the person using same is a Certified Court Reporter, or shall violate any of the provisions of this Act, said person shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as for a misdemeanor.

Section 15. Injunction against violations. On the verified complaint of any person that any person, firm or corporation has violated any of the provisions of this Act, the board may, with the consent of the Judicial Council, file an equitable petition in its own name in the superior court of any county in this State having jurisdiction of the parties, alleging the facts and praying for a temporary restraining order and temporary injunction or permanent injunction against such person, firm or corporation restraining them from violating the provisions of this Act and upon proof thereof the Court shall issue such restraining order, temporary injunction or permanent injunction without requiring allegation or proof that the petitioner has no adequate remedy at law. The right of injunction provided for in this Section shall be in addition to any other legal remedy which the board has, and shall be in addition to any right of criminal prosecution provided by law.

Section 16. Temporary employment permit. Nothing in this Act shall be construed to prohibit the temporary employment of any person not certified under this Act who has first obtained a temporary permit from the board or from a judge in the circuit in which the case is pending. The board may limit the extent of any temporary permit obtained from the board, based upon the need of such temporary employment. Temporary permits obtained from a judge may be limited by the board only with the concurrence of the issuing judge. (Acts 1980, p. 528).

Section 17. Renewal of certificate. Every Certified Court Reporter who continues in the active practice of verbatim court reporting shall annually, on or before April 1, following the date of issuance of the certificate under which he is then entitled to practice, renew such certificate upon the payment of a fee established by the board. Every certificate which has not been renewed on the first day of April shall expire on that date of that year and shall result in the suspension of that reporter's right to practice under this Act, which suspension shall not be terminated until all delinquent fees have been paid.

Section 18. The administrative and staff work of the Board of Court Reporting of the Judicial Council shall be among the duties of the Administrative Office of the Courts, created by Ga. L. 1973, p. 288. The director of the Administrative Office of the Courts shall serve as secretary of the Board of Court Reporting of the Judicial Council, and shall perform all duties as may be assigned to him either by the board or the Judicial Council to implement the provisions of the Act.

Section 19. Effective date. This Act shall become effective upon its approval by the Governor or upon its becoming law without his approval.

Section 20. Repealer. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved March 20, 1974.

APPENDIX FOUR

JUDICIAL COUNCIL OF GEORGIA SETS COURT REPORTER FEES

ACT NO. 588 GA. LAWS 1975, P. 852

An Act to amend an Act creating a Judicial Council of the State of Georgia, approved April 3, 1973 (Ga. L. 1973, p. 288), so as to provide that the Judicial Council of the State of Georgia shall promulgate rules and regulations which shall provide for and set the fees to be charged by all official court reporters in this State in all criminal and civil cases; to provide for per diem fees; to provide for the form and style of transcripts; to provide that this Act shall not apply to such court reporters under certain circumstances; to repeal Section 24-3103 of the Code of Georgia of 1933, as amended by an Act approved February 21, 1951 (Ga. L. 1951, p. 388) setting the compensation to be paid court reporters in all civil cases; to repeal Section 24-3104 of the Code of Georgia of 1933, as amended by an Act approved February 16, 1949 (Ga. L. 1949, p. 646), and by an Act approved February 21, 1951 (Ga. L. 1951, p. 630), and by an Act approved February 18, 1959, (Ga. L. 1959, p. 61), and by an Act approved April 10, 1968 (Ga. L. 1968, p. 1230), setting the compensation to be paid court reporters in all criminal cases; to provide an effective date; to repeal conflicting laws, and for other purposes.

Section 1. An Act creating a Judicial Council of the State of Georgia, approved April 3, 1973, (Ga. L., p. 288) is hereby amended by adding a new section to be known as Section 2A, which shall read as follows:

"Section 2A(a) The Judicial Council of the State of Georgia shall promulgate rules and regulations which shall:

(i) provide for and set the fees to be charged by all official court reporters in this State for attending court, taking stenographic notes and recording the evidence;

(ii) for furnishing transcripts of the evidence, and for other proceedings furnished by the official court reporter in all civil and criminal cases in this State;

(iii) provide for a minimum per diem fee, which fees may be supplemented by the various counties within the circuits to which such court reporters are assigned;

(iv) provide for the form and style of the transcripts which shall be uniform throughout the State;

(b) The Judicial Council of the State of Georgia shall amend its rules and regulations providing for and setting the fees to be charged by all official court reporters whenever the Judicial Council of the State of Georgia shall deem it necessary and proper."

Section 2. This Act shall not apply to those court reporters taking and furnishing transcripts of depositions, nor for taking and furnishing transcripts of non-judicial functions nor to any independent contracts of any reporters.

Section 3. Section 24-3103 of the Code of Georgia of 1933, as amended by an Act approved February 21, 1951 (Ga. L. 1951, p. 388), is hereby repealed in its entirety.

Section 4. Section 24-3104 of the Code of Georgia of 1933, as amended by an Act approved February 16, 1949 (Ga. L. 1949, p. 646), and by an Act approved February 21, 1951 (Ga. L. 1951, p. 630), and by an Act approved February 18, 1959 (Ga. L. 1959, p. 61), and by an Act approved April 10, 1968 (Ga. L. 1968, p. 1230), is hereby repealed in its entirety.

Section 5. This Act shall become effective January 1, 1976.

Section 6. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved April 18, 1975.

APPENDIX FIVE

JUDICIAL PERSONNEL CHANGES

Appointments

Appellate Courts

Supreme Court of Georgia
Justice Hardy Gregory, Jr. for term 1/8/81 to 12/31/82.
Court of Appeals of Georgia
Judge Marion T. Pope, Jr. for term 1/5/81 to 12/31/82.

Superior Courts

Blue Ridge Judicial Circuit
Judge Frank C. Mills, III, for term 2/9/81 to 1/1/83.
Chattahoochee Judicial Circuit
Judge Albert W. Thompson for term 1/1/81 to 1/1/83.
Cordele Judicial Circuit
Judge G. Mallon Faircloth for term 2/9/81 to 1/1/83.
Dublin Judicial Circuit
Judge Dubignion Douglas for term 1/1/81 to 1/1/83.
Pataula Judicial Circuit
Judge F. Phillip Sheffield for term 6/18/81 to 1/1/83.
Judge Lowrey S. Stone for term 6/18/81 to 1/1/83.
Tifton Judicial Circuit
Judge John D. Crosby for term 10/1/80 to 1/1/81.

State Courts

Bryan County
Judge Kenneth S. McBurnett for term 9/23/80 to 1/1/81.
Clinch County
Judge Berrien L. Sutton for term 5/13/81 to 1/1/85.
Cobb County
Judge W. Michael B. Stoddard for term 1/5/81 to 1/1/83.
Fulton County, Magistrate's Division
Judge Edgar C. Gentry for two-year term beginning 7/1/80.
Judge Carson Noland for three-year term beginning 7/1/80.
Judge Albert L. Thompson for four-year term beginning 7/1/80.
Worth County
Judge Clarence A. Miller for term 3/25/81 to 1/1/85.

Juvenile Courts

The counties of Blue Ridge Judicial Circuit
Judge Paul F. Cardin for term 10/15/80 to 5/9/84
Hall County
Judge John E. Girardeau for term 2/1/81 to 12/31/84.
Houston County
Judge Herbert Wells for term 7/1/80 to 6/30/86.
Sumter County
Judge James C. Gatewood for term 6/1/81 to 6/1/87.
Whitfield County
Judge William T. Boyett for term 2/1/81 to 1/31/87.

Special Courts

Small Claims Court of Bleckley County
Judge Dewey M. Brown for term 7/1/80 to 7/1/84.
Small Claims Court of Butts County
Judge Hugh M. Glidewell, Jr. for term 1/1/81 to 1/1/83.
Small Claims Court of Dooly County
Judge Clifford J. Loggins for term 5/13/81 to 7/31/84.
Small Claims Court of Elbert County
Judge Paul McCurley, Jr. for term 3/7/81 to 3/7/85.
Small Claims Court of Emanuel County
Judge Julius Curry for term 1/29/81 to 6/17/81.
Small Claims Court of Gilmer County
Judge Don Cochran for two-year term beginning 6/1/81.
Small Claims Court of Jenkins County
Judge Stanley Coleman for term 6/29/81 to 1/1/83.
Small Claims Court of Jones County
Judge Fleta Massengale Harper for term 5/13/81 to 2/1/83.
Small Claims Court of Montgomery County
Judge Charles W. Cook for term 5/13/81 to 11/1/81.
Small Claims Court of Newton County
Judge Ben F. Hendricks for term 11/1/80 to 1/1/81.
Small Claims Court of Oconee County
Judge Robert J. Huff for term 7/9/80 to 6/30/83.
Small Claims Court of Oglethorpe County
Judge J. Harold McFarland for term 5/21/81 to 5/2/82.
Small Claims Court of Randolph County
Judge Jim Frise for term 5/3/81 to 1/1/82.
Small Claims Court of Taylor County
Judge Cathryn M. Carpenter for term 2/17/81 to 4/18/83.
Small Claims Court of Turner County
Judge Glenn Perry for term 1/1/81 to 1/1/82.
Small Claims Court of Wilkes County
Judge Theron Aldridge for term 2/19/81 to 2/19/85.
Magistrate's Court of Glynn County
Judge James V. Pleasants for term 1/1/81 to 1/1/85.
Recorder's Court of DeKalb County
Judge Brince Manning, Jr. for term beginning 5/13/81.

Elections

Appellate Courts

Supreme Court
Justice George T. Smith for term 1/1/81 to 12/31/86.

Superior Courts

Alapaha Judicial Circuit
Judge Brooks E. Blitch, III, for term 1/1/81 to 1/1/85.
Atlanta Judicial Circuit
Judge Clarence Cooper for term 1/1/81 to 1/1/89.
Cobb Judicial Circuit
Judge Grant Brantley for term 1/1/81 to 1/1/85.
Judge Dorothy A. Robinson for term 1/1/81 to 1/1/85.
Coweta Judicial Circuit
Judge William Lee, Jr. for term 1/1/81 to 1/1/85.
Lookout Mountain Judicial Circuit
Judge Gary B. Andrews for term 1/1/81 to 1/1/85.
Northern Judicial Circuit
Judge George H. Bryant for term 1/1/81 to 1/1/85.
Oconee Judicial Circuit
Judge Phillip R. West for term 1/1/81 to 1/1/85.
Stone Mountain Judicial Circuit
Judge Richard Bell for term 1/1/81 to 1/1/85.
Judge Hilton Fuller for term 1/1/81 to 1/1/85.

State Courts

DeKalb County
Judge Clarence F. Seeliger for term 1/1/81 to 1/1/85.
Elbert County
Judge Robert W. Lavender for term 1/1/81 to 1/1/85.
Fulton County
Judge Charles L. Carnes for term 1/1/81 to 1/1/87.
Judge Edward H. Johnson for term 12/15/80 to 1/1/81.
Toombs County
Judge Don P. Carpenter for term 1/1/81 to 1/1/85.

Probate Courts

Bacon County
Judge Jerri Jackson for term 4/29/81 to 1/1/85.
Bibb County
Judge Tilman E. Self for term 8/27/80 to 12/31/80.
Brantley County
Judge Johnnie E. Crews for term 1/1/81 to 1/1/85.
Bryan County
Judge Hermon Butler, Sr., for term 1/1/81 to 1/1/85.

Candler County
Judge Charles E. Beasley for term 10/11/80 to 1/1/81.
Clinch County
Judge Karleen Stalvey O'Berry for term 1/1/81 to 1/1/85.
Coffee County
Judge Troy C. Paul for term 1/1/81 to 1/1/85.
Columbia County
Judge Pat Hardaway for term 1/1/81 to 1/1/85.
Cook County
Judge Dan Cowart for term 1/1/81 to 1/1/85.
Dawson County
Judge Grady Hugh Fields for term 1/1/81 to 1/1/85.
Gilmer County
Judge Margaret Evans for term 1/1/81 to 1/1/85.
Gordon County
Judge Johnny R. Parker for term 1/1/81 to 1/1/85.
Grady County
Judge Anne W. Edwards for term 1/1/81 to 1/1/85.
Heard County
Judge Donald L. Nelms for term 1/1/81 to 1/1/85.
Henry County
Judge Larry D. Tew for term 1/1/81 to 1/1/85.
Jasper County
Judge Lettye P. Greer for term 4/29/81 to 1/1/85.
Jenkins County
Judge Elizabeth L. Elmore for term 1/1/81 to 1/1/85.
Laurens County
Judge Helen W. (Baggett) Harper for term 1/1/81 to 1/1/85.
Paulding County
Judge Betty Johns for term 1/14/81 to 1/1/85.
Peach County
Judge John W. Smisson for term 1/1/81 to 1/1/85.
Pierce County
Judge Mildred Youmans for term 1/1/81 to 1/1/85.
Pike County
Judge Grover H. Anderson for term 1/1/81 to 1/1/85.
Pulaski County
Judge Dora C. Watson for term 1/1/81 to 1/1/85.
Randolph County
Judge A.W. Palmer for term 1/1/81 to 1/1/85.
Screven County
Judge Lorin S. Stegins for term 1/1/81 to 1/1/85.
Tattnall County
Judge Sharon J. McCall for term 1/1/81 to 1/1/85.
Thomas County
Judge Sallylu H. Hart for term 1/1/81 to 1/1/85.
Turner County
Judge Dot I. Coker for term 1/1/81 to 1/1/85.
Union County
Judge Wayne E. Colwell for term 1/1/81 to 1/1/85.
Walton County
Judge Greg Adams for term 1/1/81 to 1/1/85.
Warren County
Judge Lucy J. Bryant for term 1/1/81 to 1/1/85.
Worth County
Judge Virginia Andrews for term 1/1/81 to 1/1/85.

Special Courts

Small Claims Court of Camden County
Judge James C. Proctor for term 1/1/81 to 1/1/83.
Small Claims Court of Coffee County
Judge Margaret A. Kitchens for term 10/16/80 to 4/27/84.
Small Claims Court of Lumpkin County
Judge David Wallace for term 1/1/81 to 1/1/85.

ANALYSIS OF STATEWIDE JUDICIAL MANPOWER CHANGES

(July 1, 1980 to June 30, 1981)

Court	Total No. Judgeships [1]	Judges Beginning First Terms: Method of Selection: Elected	Appointed	New Judgeship	Total No. New Judges	Judges Leaving the Bench: Reason for Leaving: Resigned	Retired	Died	Failed to be reelected /Not reappointed	Total No. Judges Leaving the Bench [2]
Supreme Court	7	1	1	-	2	1	1	-	-	2
Court of Appeals	9	-	1	-	1	1	-	-	-	1
Superior Courts	118 [3]	10	5	2	17	4	5	1	5	15
State Courts	77 [4]	5	4	-	9	5	1	3	1	10
Juvenile Courts (Full & part time)	43	-	4	-	4	3	-	-	3	6
Probate Courts	159	32	-	-	32	2	20 [5]	4	6	32

[1] As of June 30, 1981.

[2] Total number of judges leaving the bench does not match total number of new judges in some instances because of new appointments or vacancies which existed at the end of the fiscal year.

[3] Although 118 superior court judgeships had been allocated by the end of the year, 111 had been filled. On July 1, 1981, three additional judges assumed office.

[4] The State Court of Laurens County was abolished effective January , 1981.

[5] Three of these probate judges did not seek reelection.